

**AGENDA OF A REGULAR MEETING - NATIONAL CITY CITY COUNCIL/  
COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF  
THE CITY OF NATIONAL CITY**



**COUNCIL CHAMBERS  
CIVIC CENTER  
1243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CALIFORNIA  
TUESDAY, MARCH 7, 2017 – 6:00 PM**

**RON MORRISON**  
*Mayor*

**ALBERT MENDIVIL**  
*Vice Mayor*

**JERRY CANO**  
*Councilmember*

**MONA RIOS**  
*Councilmember*

**ALEJANDRA SOTELO-SOLIS**  
*Councilmember*

**ORDER OF BUSINESS:** Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

**REPORTS:** All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Elected Body are webcast and archived on the City's website **[www.nationalcityca.gov](http://www.nationalcityca.gov)**.

**PUBLIC COMMENTS:** Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

**1243 National City Blvd.  
National City  
619-336-4240**

**Meeting agendas and  
minutes available on web**

**[WWW.NATIONALCITYCA.GOV](http://WWW.NATIONALCITYCA.GOV)**

**WRITTEN AGENDA:** With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

**CONSENT CALENDAR:** Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of

the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

*Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.*

*Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audífonos están disponibles en el pasillo al principio de la junta.*

**COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.**

**OPEN TO THE PUBLIC**

**A. CITY COUNCIL**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)**

**PROCLAMATIONS**

**AWARDS AND RECOGNITIONS**

**PRESENTATIONS**

1. [Veteran's Wall of Honor Program Update](#)

**INTERVIEWS / APPOINTMENTS**

**CONSENT CALENDAR**

2. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)
3. [Approval of the minutes of the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City of May 3, 2016 and Adjourned Regular Meeting of the Community Development Commission - Housing Authority of the City of National City of October 25, 2016. \(City Clerk\)](#)
4. [Resolution of the City Council of the City of National City authorizing the submittal of an application to the State of California 2016 Housing-Related Parks Grant Program for Paradise Creek Educational Park that does not require a matching funding source from the City. \(Housing & Economic Development\)](#)
5. [Resolution of the City Council of the City of National City authorizing the appropriation of \\$700,000 to the Public Works maintenance and operations \(M&O\) expenditure account for sewage transportation and treatment from the Sewer Service Fund fund balance to pay City of San Diego Metropolitan Wastewater Department for an increase in sewage](#)

[transportation and treatment charges of approximately 12% for Fiscal Year 2017. \(Engineering/Public Works\)](#)

6. [Resolution of the City Council of the City of National City authorizing the City Engineer to 1\) coordinate with San Diego Metropolitan Transit System \(MTS\) to relocate two existing bus stops located on National City Boulevard south of 16th Street to National City Boulevard south of 14th Street near the National City Public Library; 2\) paint red curb “No Parking” at the two new bus stops; and 3\) remove red curb “No Parking” at the two existing bus stops after relocation \(TSC No. 2017-05\). \(Engineering/Public Works\)](#)
7. [Warrant Register #28 for the period of 01/04/17 through 01/10/17 in the amount of \\$864,457.13. \(Finance\)](#)
8. [Warrant Register #29 for the period of 01/11/17 through 01/17/17 in the amount of \\$1,700,815.93. \(Finance\)](#)

## **PUBLIC HEARINGS**

### **ORDINANCES FOR INTRODUCTION**

### **ORDINANCES FOR ADOPTION**

9. [An Ordinance of the City Council of the City of National City adopted pursuant to Government Code Section 65858 as an urgency measure to take effect immediately, enacting a moratorium prohibiting the issuance of massage technician permits or licenses and prohibiting new massage establishments from locating within the City of National City for a period of 45 days. \(City Attorney\)](#)

## **NON CONSENT RESOLUTIONS**

### **NEW BUSINESS**

10. [Temporary Use Permit — St. Anthony of Padua Church presentation of the “Live Stations of the Cross” starting at 410 W. 18th Street on April 14, 2017 from 3 p.m. to 4 p.m. with no waiver of fees. \(Neighborhood Services\)](#)
11. [City Council Legislative Recess. \(City Manager\)](#)

## **B. COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY**

### **PUBLIC HEARINGS- HOUSING AUTHORITY**

### **CONSENT RESOLUTIONS- HOUSING AUTHORITY**



**NON CONSENT RESOLUTIONS- HOUSING AUTHORITY**

**NEW BUSINESS- HOUSING AUTHORITY**

**C. REPORTS**

**STAFF REPORTS**

**MAYOR AND CITY COUNCIL**

**CLOSED SESSION REPORT**

**ADJOURNMENT**

Regular Meeting of the National City City Council/Community Development Commission - Housing Authority of the City of National City - Tuesday, March 21, 2017 - 6:00 p.m. - Council Chambers - National City, California

The following page(s) contain the backup material for Agenda Item: Veteran's Wall of Honor Program Update

Item # \_\_\_\_\_

03/07/17

## **VETERAN'S WALL OF HONOR PROGRAM UPDATE**

**(City Manager)**

Attachments:

1. Veteran's Wall of Honor – Tile Order Form (English)
2. Veteran's Wall of Honor – Tile Order Form (Spanish)



## Veteran's Wall of Honor

An existing wall surrounding the National City War Memorial has been designated as the ***Veteran's Wall of Honor***, allowing for the community to purchase commemorative tiles in honor of military veterans. Order your tile today as there are a limited number available.

National City's War Memorial ensures that our fallen heroes will forever be remembered not only for their service to our Country, but for their roles in families and their community. For generations to come, visitors to the War Memorial will be inspired by the heroism and devotion to duty, and will be filled with a sense of pride in their community.



National City's War Memorial was dedicated in 1948 and rededicated on December 7, 2015

In March 2014, three bronze plaques were stolen from the War Memorial. The plaques, on display for over 60 years, were dedicated to National City servicemen who died serving our Country during World War II, Korean, and Vietnam wars. Following the theft, there was an immediate outpouring of concern and support. Intense media coverage brought the community together. Veteran groups, elected officials, residents, and businesses, rallied to raise money to replace the stolen plaques.

Days later, a Good Samaritan contacted National City Police stating he'd found the plaques in San Ysidro. With the plaques safely returned, the City Council immediately discussed how to safeguard them. A committee was established, whose purpose was to ensure safety of the plaques and incorporate the War Memorial into the \$1.5 million D Avenue community corridor project.

The plaques are now restored to their original state. The War Memorial, now clad in granite and repainted, lives on as a tribute to our fallen heroes.

Other improvements to the Memorial include new concrete seat walls, improved landscaping, new flag poles, new public safety cameras, street and decorative lighting, and new sidewalks. Mosaic benches built by ARTS – A Reason to Survive, pay further tribute to our military men and women. The four legs of the intersection have been improved and a roundabout constructed to include a pentagon dedicated to the five armed branches of the United States Military.



**City of National City's  
Veteran's Wall of Honor  
Order Form**

Your commemorative tile will be engraved along the Veteran's Wall of Honor which is located behind the National City War Memorial at 12<sup>th</sup> & 'D' outside Kimball Park.

**\$65 for an 8"x 8" tile with up to 6 Lines of text with 19 characters per line and military logo 3"**

or

**\$35 for a 4"x 8" tile with up to 3 lines of text with 19 characters per line and no military logo**

*Spaces count as characters*

4x8 tiles use 3 lines

8x8 tiles use all 6 lines & 1 logo




☐

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Please check 1 logo ONLY if purchasing an 8x8 tile

Please print all information clearly and review for accuracy before submitting. Include your phone number and email so we may contact you if formatting questions arise.



Purchaser: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_  
E-mail: \_\_\_\_\_ @ \_\_\_\_\_

Return completed form with payment to the Finance Department

*1243 National City Boulevard, National City, CA 91950*

Please make check payable to *City of National City- Veteran's Wall of Honor*

Cash or credit card payments must be made in person

For questions contact Lauren Maxilom (619) 336-4289 [LMaxilom@nationalcityca.gov](mailto:LMaxilom@nationalcityca.gov)

*Legal Disclaimer*

*By purchasing a tile(s) for placement on the "Veteran's Wall of Honor", all purchasers understand and agree that the purchaser shall not own the purchased tile or have a property right in the Wall of Honor. Instead, the tile(s) shall constitute City property over which the City shall retain ownership and control. Purchasers also understand and agree that the City may, in its sole discretion, decide not to engrave certain requested messages or text. Any requested language that the City deems obscene, offensive, or inappropriate for the "Veteran's Wall of Honor" shall not be engraved on the tile(s).*

*With respect to a purchaser's requested message or text, purchasers expressly waive and disclaim any residual rights granted to purchasers by Civil Code Sections 980 through 989 (relating to intellectual property and artistic works).*



## Muro de Homenaje de los Veteranos

Al muro que rodea al Monumento a la Guerra de National City se le ha designado como el **Muro de Homenaje de los Veteranos**, y se permite que la comunidad compre azulejos conmemorativos en homenaje a militares veteranos. Ordene su azulejo hoy pues hay una cantidad limitada.

Con el Monumento a la Guerra de National City se asegura que nuestros héroes caídos sean siempre recordados no solo por su servicio a nuestro país, sino por su papel en sus familias y en su comunidad. Por generaciones venideras, los visitantes del Monumento a la Guerra se sentirán inspirados por el heroísmo y la devoción al deber, y se llenarán de un sentimiento de orgullo en su comunidad.



El Monumento a la Guerra de National City fue dedicado en 1948 y vuelto a dedicar el 7 de diciembre de 2015

En marzo de 2014, tres placas de bronce fueron robadas del Monumento a la Guerra. Las placas, exhibidas por más de 60 años, estaban dedicadas a los militares de National City que murieron sirviendo a nuestro país durante la Segunda Guerra Mundial y en las guerras de Corea y de Vietnam. Tras el robo, hubo una manifestación inmediata de preocupación y apoyo. La intensa cobertura de los medios de comunicación unió a la comunidad. Grupos de veteranos, funcionarios electos, residentes y empresarios se juntaron para recaudar dinero para reemplazar las placas robadas.

Días después, un buen samaritano contactó al Departamento de Policía de National City y dijo que había encontrado las placas en la ciudad de San Ysidro. Con las placas devueltas y a salvo, el Ayuntamiento debatió de inmediato maneras de protegerlas. Se formó un comité encargado de procurar la seguridad de las placas e incorporar el Monumento a la Guerra al proyecto de \$1.5 millones del corredor comunitario de la Avenida 'D'.

Las placas fueron restauradas a su estado original. El Monumento a la Guerra, ahora revestido de granito y repintado, perdura como un tributo a nuestros héroes caídos. Entre otras mejoras hechas al monumento figuran nuevos muros con asiento de concreto, jardines renovados, nuevas astas para las banderas, nuevas cámaras de seguridad pública, alumbrado público, luces decorativas y nuevas banquetas. Los bancos de mosaico construidos por el programa ARTS - *A Reason to Survive*, rinden un mayor tributo a nuestros hombres y mujeres en el servicio militar. Los cuatro sentidos de la intersección vial han sido mejorados y se construyó una glorieta con un pentágono dedicado a las cinco ramas de las Fuerzas Armadas de los Estados Unidos.





**Muro de Homenaje de los Veteranos  
de la Ciudad de National City  
Hoja de Pedido**

Su azulejo conmemorativo será grabado en el Muro de Homenaje de los Veteranos, que se encuentra detrás del Monumento a la Guerra de National City, entre la Calle 12 y la Avenida 'D', fuera del Parque Kimball.

**\$65 por un azulejo de 8" x 8" con hasta 6 renglones de texto con 19 caracteres por renglón y con logo militar de 3"**

o

**\$35 por un azulejo de 4"x 8" con hasta 3 renglones de texto con 19 caracteres por renglón y sin logo militar**

*Los espacios cuentan como caracteres.*

A los azulejos de 4"x 8" les caben  
3 renglones

A los azulejos de 8" x 8" les caben  
6 renglones y 1 logo





Marque SOLO 1 logo si compra un azulejo de 8" x 8"



Por favor, escriba los datos con letra de imprenta clara y revise que estén correctos antes de entregar su pedido. Incluya su número de teléfono y su correo electrónico para que podamos comunicarnos con usted si surgen preguntas respecto del formato.

Comprador: \_\_\_\_\_  
Dirección: \_\_\_\_\_  
Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_ Código postal: \_\_\_\_\_  
Teléfono: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_  
Correo electrónico: \_\_\_\_\_ @ \_\_\_\_\_

Entregue la forma llenada con el pago a

*Finance Department*

*1243 National City Boulevard, National City, CA 91950*

Haga su cheque a nombre de *City of National City- Veteran's Wall of Honor*

Los pagos en efectivo o con tarjeta de crédito deberán hacerse en persona.

Para preguntas, comuníquese con Lauren Maxilom al teléfono (619) 336-4289.

[LMaxilom@nationalcityca.gov](mailto:LMaxilom@nationalcityca.gov)

#### *Aviso Legal*

*Al comprar un azulejo para colocarlo en el "Muro de Homenaje de los Veteranos", el comprador entiende y está de acuerdo en que el comprador no será dueño del azulejo comprado ni tendrá derecho de propiedad en el Muro de Homenaje de los Veteranos. En lugar de ello, el azulejo será propiedad de la Ciudad y la Ciudad conservará la propiedad y el control sobre el azulejo. El comprador también entiende y acuerda que la Ciudad puede, a discreción suya, decidir no grabar ciertos mensajes o textos solicitados. Cualquier texto solicitado que la Ciudad considere obsceno, ofensivo o inapropiado para el "Muro de Homenaje de los Veteranos" no se grabará en el azulejo.*

*Con respecto al mensaje o texto solicitado por el comprador, el comprador renuncia expresamente a los derechos residuales otorgados al comprador por los artículos 980 a 989 del Código Civil (relativos a la propiedad intelectual y las obras artísticas).*

The following page(s) contain the backup material for Agenda Item: Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. (City Clerk)

Item # \_\_\_\_

03/07/17

**MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL  
CITY APPROVING THE WAIVING OF THE READING OF THE  
TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING  
AND PROVIDING THAT SUCH ORDINANCES SHALL BE  
INTRODUCED AND/OR ADOPTED AFTER A READING  
OF THE TITLE ONLY.**

(City Clerk)

The following page(s) contain the backup material for Agenda Item: Approval of the minutes of the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City of May 3, 2016 and Adjourned Regular Meeting of the Community Development Commission - Housing Authority

Item # \_\_\_\_\_

03/07/17

**APPROVAL OF THE MINUTES OF THE REGULAR  
MEETING OF THE CITY COUNCIL AND COMMUNITY  
DEVELOPMENT COMMISSION – HOUSING AUTHORITY  
OF THE CITY OF NATIONAL CITY OF MAY 3, 2016  
AND ADJOURNED REGULAR MEETING OF THE  
COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF  
NATIONAL CITY OF OCTOBER 25, 2016.**

(City Clerk)

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**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

**May 3, 2016**

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:07 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Duong, Muthusamy, Parra, Raulston, Roberts, Silva, Stevenson, Tellez, Vergara, Williams.  
Others present: Student Representative Reah Sahagun.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC COMMENTS**

Beverly Krekelberg, National City, spoke about problems in her neighborhood with speeding traffic.

**PROCLAMATIONS**

**PROCLAMATION ADMIN (102-2-1)**

1. Proclaiming May 3, 2016 as: Lucy "Josey" Anderson Day

**PROCLAMATION ADMIN (102-2-1)**

2. Proclaiming May 5, 2016 as: "National Day of Prayer"

**PROCLAMATION ADMIN (102-2-1)**

3. Proclaiming May 15 thru May 21, 2016 as: "National Public Works Week"

**PRESENTATIONS**

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2016  
(102-10-11)**

4. Update on New Storm Water Permit Requirements for Development.  
(Engineering/Public Works)

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 5 (NCMC), Item No. 6 (Minutes), Item Nos. 7 through 12 (Resolution No. 2016-57 through 2016-62), Item No. 13 (Report), Item Nos. 14 and 15 (Warrant Registers). Motion by Sotelo-Solis, seconded by Cano, to approve the Consent Calendar. Carried by unanimous vote.

**MUNICIPAL CODE 2016 (506-2-31)**

5. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

**ACTION:** Approved. See above.

**APPROVAL OF MINUTES**

6. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF APRIL 19, 2016. (City Clerk)

**ACTION:** Approved. See above.

**CONTRACT (C2016-21)**

7. Resolution No. 2016-57. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE APPROPRIATION OF DEVELOPMENT IMPACT FEES IN THE AMOUNT OF \$11,500 TO FUND THE ENCLOSURE OF THE RESERVE FIRE ENGINE PROTECTIVE SHELTER AND AWARD THE BUILDING CONTRACT TO CASTLE STEEL BUILDINGS. (Fire)

**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

8. Resolution No. 2016-58. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INCREASES OF GENERAL FUND APPROPRIATIONS FOR FISCAL YEAR 2016 TOTALING \$110,408.40, WAIVING THE BID PROCESS BASED ON MUNICIPAL CODE SECTION 2.60.220(B) SOLE SOURCE AND 2.60.220(C) PROPRIETARY, AND AUTHORIZING THE PURCHASE OF THE P25 FLASH UPGRADE AND INSTALLATION OF MOBILE AND PORTABLE RADIOS FROM MOTOROLA SOLUTIONS TO OPERATE ON THE NEXT GEN RCS SYSTEM FOR THE POLICE AND FIRE DEPARTMENTS. (Fire)

**ACTION:** Adopted. See above.



**CONSENT CALENDAR (cont.)**

**CONTRACT (C2015-42)**

9. Resolution No. 2016-59. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) INCREASING THE CONTRACT WITH KINSMAN CONSTRUCTION, INC. IN THE NOT TO EXCEED AMOUNT OF \$127,007.15 FOR THE POLICE DEPARTMENT BUILDING IMPROVEMENTS PROJECT, CIP NO. 15-06; AND 2) AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 7 IN THE AMOUNT OF \$127,007.15 TO PROVIDE WATERPROOFING AROUND THE ENTIRE GROUND FLOOR PERIMETER OF THE POLICE DEPARTMENT BUILDING, PLANTER BOXES AND THE TWO PEDESTRIAN DECKS ON THE SECOND FLOOR. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

10. Resolution No. 2016-60. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY (BUYER) TO WAIVE THE BIDDING REQUIREMENTS AND USE THE NATIONAL JOINT POWERS ALLIANCE (NJPA) CONTRACTOR #022014-FSC WITH ENVIROSIGHT, LLC (MANUFACTURER) THROUGH THE HAAKER EQUIPMENT COMPANY (DISTRIBUTOR) TO AWARD THE PURCHASE OF ONE ROVVER X SEWER INSPECTION SYSTEM FOR THE PUBLIC WORKS WASTEWATER DIVISION IN THE AMOUNT OF \$97,555.00 TO HAAKER EQUIPMENT COMPANY (OFFICES IN LA VERNE, CA), AS ALLOWED BY NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**CONTRACT (C2011-3)**

**GRANT / PUBLIC SAFETY (206-4-27)**

11. Resolution No. 2016-61. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF THE FY 2015 OPERATION STONEGARDEN GRANT IN THE AMOUNT \$48,000, AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE THE AGREEMENT FOR THE AWARD OF THE GRANT FUNDS AND SIGN GRANT DOCUMENTS INDEMNIFYING THE GRANTING AGENCY AGAINST ANY LIABILITY ARISING FROM GRANT RELATED OPERATIONS, AND AUTHORIZING THE ESTABLISHMENT OF THE POLICE DEPARTMENT GRANTS FUND APPROPRIATIONS AND A CORRESPONDING REVENUE BUDGET, IN THE AMOUNT OF THE GRANT FOR REIMBURSEMENT OF OVERTIME, FRINGE BENEFITS AND MILEAGE FOR PROGRAMMATIC OPERATIONS AND THE PURCHASE OF APPROVED EQUIPMENT. (Police)

**ACTION:** Adopted. See above.



**CONSENT CALENDAR (cont.)**

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

12. Resolution No. 2016-62. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF THE LOWEST, RESPONSIVE, RESPONSIBLE BID, FOR THE PURCHASE OF (1) 2016 FORD F250 2WD SUPERCAB 142 XL, FOR THE PUBLIC WORKS DEPARTMENT FROM NORTH COUNTY FORD OF VISTA, IN THE AMOUNT OF \$34,458.86. (Finance)

**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2015-2016 (204-1-31)**

13. Investment transactions for the month ended February 29, 2016. (Finance)

**ACTION:** Filed. See above.

**WARRANT REGISTER JULY 2015 – JUNE 2016 (202-1-30)**

14. Warrant Register #39 for the period of 03/23/16 through 03/29/16 in the amount of \$1,707,510.93. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2015 – JUNE 2016 (202-1-30)**

15. Warrant Register #40 for the period of 03/30/16 through 04/05/16 in the amount of \$1,037,681.39. (Finance)

**ACTION:** Ratified. See above.

**PUBLIC HEARINGS**

**BLOCK GRANT PROGRAM ADMIN 2016-2017 (406-1-31)**

16. Final Public Hearing on the U.S Department of Housing and Urban Development (HUD) for the first amendment to the 2015-2019 Consolidated Plan and 2015-2016 Annual Action Plan and the allocation of 2016-2017 HUD entitlement grant funds, program income, and funds remaining from completed projects to Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program activities proposed for the Fiscal Year (FY) 2016-2017 Annual Action Plan. (Housing, Grants, and Asset Management)

**RECOMMENDATION:** Conduct the Public Hearing.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Mendivil, to close the Public Hearing. Carried by unanimous vote.

## NON CONSENT RESOLUTIONS

### BLOCK GRANT PROGRAM ADMIN 2016-2017 (406-1-31)

17. Resolution No. 2016-63. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE FIRST AMENDMENT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AMENDED 2015 TO 2019 CONSOLIDATED PLAN FOR PROGRAM YEARS AND 2015-2016 ANNUAL ACTION PLAN AND AUTHORIZING THE ALLOCATION THE ALLOCATION OF 2016-2017 HUD ENTITLEMENT GRANT FUNDS, PROGRAM INCOME, AND FUNDS REMAINING FROM COMPLETED PROJECTS TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM ACTIVITIES PROPOSED FOR THE FISCAL YEAR (FY) 2016-2017 ANNUAL ACTION PLAN. (Housing, Grants, and Asset Management)

**RECOMMENDATION:** Approve the Consolidated Plan and Action Plan for the CDBG and HOME funding allocations from the sources identified in the Financial Statement.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

## NEW BUSINESS

### TEMPORARY USE PERMITS 2016 (203-1-32)

18. Temporary Use Permit – Las Palmas 5K and 1 Mile Walk hosted by Las Palmas Elementary School on June 4, 2016 from 8 a.m. to 12 p.m. with no waiver of fees. (Neighborhood Services)

**RECOMMENDATION:** Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees.

**TESTIMONY:** Steven Sanchez and Ashley Trzinski, representing Las Palmas School, spoke in support and responded to questions.

**ACTION:** Motion by Cano, seconded by Rios, to approve with waiver of fees. Carried by unanimous vote.

### BOARDS & COMMISSIONS ADMIN (101-1-1)

19. City Council discussion and direction on City Council participation on staff working groups, more specifically, the National City/Port of San Diego Working Group. (City Manager)

**RECOMMENDATION:** Council direction requested.

**TESTIMONY:** None.

**ACTION:** Motion by Morrison, seconded by Mendivil, to have staff come back with policy options. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison. Nays: Rios, Sotelo-Solis. Abstain: None. Absent: None.

**COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

**NO AGENDA ITEMS**

**STAFF REPORTS**

**HIGHWAY / FREEWAY ADMIN REPORTS (803-4-1)**

20. Update on Highway Ramp & Local Road "Adopt a Road" Program.  
(Engineering/Public Works)

**ACTION:** Consensus was for staff to continue to pursue.

**MAYOR AND CITY COUNCIL**

Member Mendivil reminded everyone about the National Day of Prayer on Thursday at 6:30 and Kimball Bowl.

Member Sotelo-Solis spoke about the Community Service Day activities; the Grand re-opening of the Olivewood Clubhouse, encouraged everyone to get out and vote and asked that discussion of puppy sales be on a future agenda.

Member Rios advised that the National School District was considering opening their fields due to the problem at Las Palmas Park, and that the Port District has extended an invitation to tour their facilities.

Member Cano thanked the team for Community Service Day.

Mayor Morrison discussed Community Service Day, free swimming at the pool and all of the work going on throughout the City and announced that SANDAG has decided to move ahead with a ½ cent tax measure.

**CLOSED SESSION REPORT**

City Attorney Claudia Silva stated there was nothing to report from the Closed Session. (See attached Exhibit 'L')

**ADJOURNMENT**

Motion by Mendivil, seconded by Cano, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, May 17, 2016 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:48 p.m.

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City Clerk

The foregoing minutes were approved at the Regular Meeting of March 7, 2017.

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Mayor

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**Budget Schedule – Fiscal Year 2017**

- June 7, 2016 – 6:00 pm – Budget Hearing

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**2016 City Council Summer Legislative Recess**

- July 5 – City Council Meeting – Suspended
  - July 19 – City Council Meeting – Suspended
-



## EXHIBIT 'L'



### AGENDA OF A SPECIAL MEETING

#### CITY COUNCIL OF THE CITY OF NATIONAL CITY

Main Conference Room  
Civic Center  
1243 National City Boulevard  
National City, California

Special Meeting – Tuesday, May 3, 2016 – 5:00 p.m.

#### ROLL CALL

#### CLOSED SESSION

##### CITY COUNCIL

1. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a) and 54956.9(d)(1)  
*Edith Dedam v. City of National City, et al.*  
Superior Court Case No. 37-2015-00024925-CU-PA-CTL
2. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a) and 54956.9(d)(1)  
*Ali Alejandro Mendoza v. City of National City, et al.*  
United States District Court Case No. 15-cv-1528-JAN-BGS

#### ADJOURNMENT

Next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City will be held Tuesday, May 3, 2016, 6:00 p.m., Council Chambers, Civic Center

DRAFT      DRAFT      DRAFT

**MINUTES OF THE ADJOURNED REGULAR MEETING OF THE  
COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY  
OF THE CITY OF NATIONAL CITY**

**October 25, 2016**

The Adjourned Regular Meeting of the Community Development Commission – Housing Authority of the City of National City was called to order at 5:06 p.m. by Chairman Ron Morrison.

**ROLL CALL**

Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.

Administrative Officials present: Aguirre, Dalla, Deese, Raulston, Roberts, Eiser, Stevenson, Williams, Ybarra.

Member Sotelo-Solis announced that she would be abstaining and recusing herself from the proceedings in an abundance of caution pending advice from the FPPC regarding her participation. Member Sotelo-Solis left the Chamber at 5:08 p.m.

Request for Qualifications for the Recapitalization and Rehabilitation of Kimball and Morgan Towers: Development Team Presentations and Selection

1. Introduction – Leslie Deese, Executive Director
2. Development Presentations / Board Questions  
Alfredo Ybarra, Director of Housing and Economic Development, read into the record the Ground Rules that apply to the presentations.

Development Presentations were made by the following groups in an order determined by a random drawing.

- The RAHD Group, Affirmed Housing, Community Preservation Partners LLC, Thompson Consulting, and Casa Familiar
  - Bridge Housing Corporation
  - Community HousingWorks and Mercy Housing California
  - Chelsea Investment Corporation and Serving Seniors
  - National Community Renaissance of California and Reiner Communities
3. Public Comments  
Erin Panichkul, representing the Environmental Health Coalition, spoke in support of the proposal submitted by Community Housing Works.

**HOUSING AUTHORITY 2016 (404-1-5)**

4. Resolution No. 2016-43: RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY CONFIRMING THE SELECTION OF COMMUNITY HOUSINGWORKS AND MERCY HOUSING CALIFORNIA AS THE DEVELOPER FOR THE RECAPITALIZATION AND REHABILITATION OF KIMBALL AND MORGAN TOWERS.

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Rios, seconded by Mendivil, to move forward with staff recommendation. Second was withdrawn.

Motion by Cano, seconded by Mendivil, to hold over to the November 15, 2016 Meeting for when a full Council will be present. Carried by unanimous vote.

**ADJOURNMENT**

Motion by Rios, seconded by Cano, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, November 1, 2016 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 8:09 p.m.

\_\_\_\_\_  
City Clerk

The foregoing minutes were approved at the March 7, 2017.

\_\_\_\_\_  
Mayor

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the submittal of an application to the State of California 2016 Housing-Related Parks Grant Program for Paradise Creek Educational Park that does not require a matching funding source



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** March 7, 2017

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the submittal of an application to the State of California 2016 Housing-Related Parks Grant Program for Paradise Creek Educational Park that does not require a matching funding source from the City.

**PREPARED BY:** Carlos Aguirre, Housing & Econ. Dev. Mgr.  **DEPARTMENT:** Housing and Economic Development

**PHONE:** (619) 336-4391

**APPROVED BY:** 

**EXPLANATION:**

The State of California Department of Housing and Community Development released a Notice of Funding Availability (NOFA) for the 2016 funding round of the Housing-Related Parks (HRP) Program in November 2016. The HRP Program is an innovative program designed to reward local governments that approve housing for lower-income households and are in compliance with State housing element law with grant funds to create or rehabilitate parks and/or recreational facilities. Staff submitted a grant application on February 22, 2017 and has 30 days from the grant application deadline to submit a City Council resolution approving the submission of the application. The base application is for \$143,250 but Paradise Creek Educational Park is eligible for additional bonus awards of \$303,600 based on nearby infill affordable housing new construction (Phase II of Paradise Creek Apartments), consideration of the area as "park-deficient," and provided the park's location within a low- and moderate-income census tract.

**FINANCIAL STATEMENT:**

**APPROVED:**  **Finance**

**ACCOUNT NO.** To be determined if funds are granted.

**APPROVED:** \_\_\_\_\_ **MIS**

The grant does not require a matching funding source from the City.

**ENVIRONMENTAL REVIEW:**

The grant application does not include the potential for a significant environmental effect, and therefore is not subject to the California Environmental Quality Act (CEQA).

**ORDINANCE:** INTRODUCTION: ☐

FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt the Resolution.

**BOARD / COMMISSION RECOMMENDATION:**

Not applicable to the adoption of the Resolution.

**ATTACHMENTS:**

1. Resolution

RESOLUTION NO: 2017 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE STATE  
OF CALIFORNIA 2016 HOUSING-RELATED PARKS GRANT PROGRAM  
FOR PARADISE CREEK EDUCATIONAL PARK THAT DOES NOT  
REQUIRE A MATCHING FUNDING SOURCE FROM THE CITY

WHEREAS, the State of California Department of Housing and Community Development released a Notice of Funding Availability (“NOFA”) for the 2016 funding round of the Housing-Related Parks (“HRP”) Program in November 2016; and

WHEREAS, the HRP Program is an innovative program designed to reward local governments that approve housing for lower-income households and are in compliance with State housing element law with grant funds to create or rehabilitate parks and/or recreational facilities; and

WHEREAS, staff submitted a grant application on February 22, 2017, and has 30 days from the grant application deadline to submit a City Council resolution approving the submission of the application; and

WHEREAS, the base application is for \$143,250, but Paradise Creek Educational Park is eligible for additional bonus awards of \$303,600 based on nearby infill affordable housing new construction (Phase II of Paradise Creek Apartments), consideration of the area as “park-deficient,” and provided the park’s location within a low- and moderate-income census tract; and

WHEREAS, the State of California Department 2016 Housing-Related Parks Program does not require a matching funding source from the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes staff to apply for and submit to the State of California Department of Housing and Community Development the HRP Program Application Package released November 2016 for Paradise Creek Educational Park, in the base application amount of \$143,250, plus the additional bonus award of \$303,600 based on nearby infill affordable housing new construction (Phase II of Paradise Creek Apartments), because the area is considered as “park-deficient”, and because Paradise Creek Educational Park is located within a low- and moderate-income census tract.

BE IT FURTHER RESOLVED that if the application is approved, the City is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (“Standard Agreement”) in an amount not to exceed \$446,850.00, and any and all other documents required or deemed necessary or appropriate to secure the HRP Program Grant from the State of California Department of Housing and Community Development, and all amendments thereto (collectively, the “HRP Grant Documents”).

BE IT FURTHER RESOLVED that the City of National City shall be subject to the terms and conditions as specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures to be identified in Exhibit “A” of the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. The City of National City hereby agrees to

use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package.

BE IT FURTHER RESOLVED that the Mayor or City Manager is authorized to execute in the name of the City of National City the HRP Program Application Package and the HRP Grant Documents as required by the State of California Department of Housing and Community Development for participation in the HRP Program.

PASSED and ADOPTED this 7<sup>th</sup> day of March, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
George H. Eiser, III  
Interim City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the appropriation of \$700,000 to the Public Works maintenance and operations (M&O) expenditure account for sewage transportation and treatment from the Sewer Service Fund fund balance



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** March 7, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the appropriation of \$700,000 to the Public Works maintenance and operations (M&O) expenditure account for sewage transportation and treatment from the Sewer Service Fund fund balance to pay City of San Diego Metropolitan Wastewater Department for an increase in sewage transportation and treatment charges of approximately 12% for Fiscal Year 2017.

**PREPARED BY:** Ray Roberson

**PHONE:** 619-336-4583

**DEPARTMENT:** Engineering/Public Works

**APPROVED BY:** 

**EXPLANATION:**

The City of San Diego Metropolitan Wastewater Department (MWWD) increased rates for sewage transportation and treatment for National City by approximately 12% in FY 2017, which results in an annual cost of approximately \$5.8 million. In order to have sufficient funds to cover the rate increase and make the 4<sup>th</sup> quarter payment to MWWD, staff is requesting the appropriation of \$700,000 to the Public Works M&O expenditure account for sewage transportation and treatment from the Sewer Service Fund.

The current fund balance for the Sewer Service Fund is approximately \$17.5 million.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

Public Works M&O expenditure account #125-416-222-272-0000 (Sewage Transportation and Treatment)

**APPROVED:** 

Finance

**APPROVED:** \_\_\_\_\_

MIS

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt resolution authorizing the appropriation of \$700,000 to the Public Works M&O expenditure account for sewage transportation and treatment from the Sewer Service Fund.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Resolution

RESOLUTION NO: 2017 – 26

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE APPROPRIATION OF \$700,000 TO THE PUBLIC WORKS  
MAINTENANCE AND OPERATIONS EXPENDITURE ACCOUNT FOR  
SEWAGE TRANSPORTATION AND TREATMENT FROM THE SEWER SERVICE FUND  
FUND BALANCE TO PAY CITY OF SAN DIEGO METROPOLITAN WASTEWATER  
DEPARTMENT FOR AN INCREASE IN SEWAGE TRANSPORTATION AND  
TREATMENT CHARGES OF APPROXIMATELY 12% FOR FISCAL YEAR 2017

WHEREAS, the City of San Diego Metropolitan Wastewater Department (“MWWD”) increased rates for sewage transportation and treatment for National City by approximately 12% in Fiscal Year 2017, which results in an annual cost to the City of approximately \$5.8 million; and

WHEREAS, in order to have sufficient funds to cover the rate increase and make the 4<sup>th</sup> quarter payment to MWWD, staff is requesting the appropriation of \$700,000 to the Public Works Maintenance and Operations (M&O) expenditure account for sewage transportation and treatment from the Sewer Service Fund.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the the appropriation of \$700,000 to the Public Works Maintenance and Operations expenditure account for sewage transportation and treatment from the sewer service fund fund balance to pay City of San Diego Metropolitan Wastewater Department for an increase in sewage transportation and treatment charges of approximately 12% for Fiscal Year 2017.

PASSED and ADOPTED this 7<sup>th</sup> day of March, 2017.

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Ron Morrison, Mayor

ATTEST:

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Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

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George H. Eiser, III  
Interim City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the City Engineer to 1) coordinate with San Diego Metropolitan Transit System (MTS) to relocate two existing bus stops located on National City Boulevard south of 16th Street to Natio



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** March 7, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City authorizing the City Engineer to 1) coordinate with San Diego Metropolitan Transit System (MTS) to relocate two existing bus stops located on National City Boulevard south of 16th Street to National City Boulevard south of 14th Street near the National City Public Library; 2) paint red curb "No Parking" at the two new bus stops; and 3) remove red curb "No Parking" at the two existing bus stops after relocation (TSC No. 2017-05).

**PREPARED BY:** Luca Zappiello, Civil Engineering Tech

**DEPARTMENT:** Engineering/Public Works

**PHONE:** 619-336-4360

**APPROVED BY:**

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐

FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt the Resolution authorizing the City Engineer to coordinate with MTS to relocate two existing bus stops on National City Blvd closer to the Public Library and install red curb "No Parking" at the two new bus stops.

**BOARD / COMMISSION RECOMMENDATION:**

At their meeting on February 8, 2017, the Traffic Safety Committee unanimously approved the staff recommendation to relocate two existing bus stops on National City Blvd closer to the Public Library and install red curb "No Parking" at the two new bus stops.

**ATTACHMENTS:**

1. Explanation w/ Location Map
2. Staff Report to the Traffic Safety Committee on February 8, 2017 (TSC No. 2017-05)
3. Resolution



## **EXPLANATION**

Staff received a request from National City residents to install two bus stops on the east and west sides of National City Boulevard south of 14th Street near the National City Public Library ("Library"). The residents stated that the two existing bus stops on National City Boulevard south of 16th Street are located too far from the Library, making it difficult to access public transportation. The proposed relocation of the two existing bus stops would provide residents easier and closer transit access to the Library.

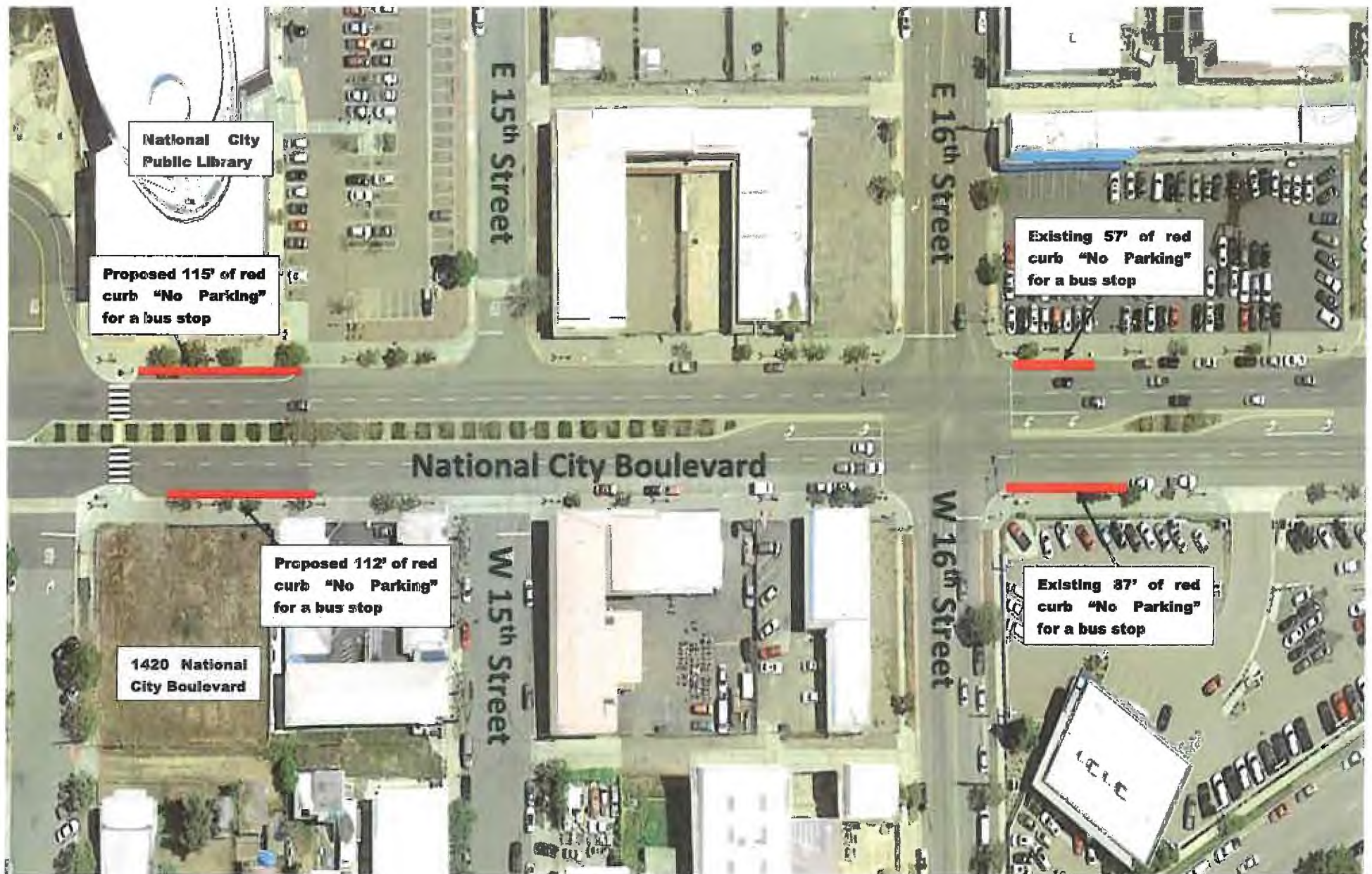
City Engineering staff worked with MTS to assess the opportunity to relocate the two existing bus stops from National City Boulevard south of 16th Street, to approximately 650 feet further north, near the Library, as shown on the attached Location Map. The existing bus stop red curb "No Parking" on the east side and west side of National City Boulevard south of 16th Street is approximately 57 feet and 87 feet, respectively. The posted speed limit on National City Boulevard is 30 mph. The length of curb for the proposed bus stop locations on the east side and west side of National City Boulevard south of 14th Street near the Library is approximately 115 feet and 112 feet, respectively. Based on these measurements, the curb is long enough to accommodate a bus stop in each direction. City Engineering staff and MTS agreed that the proposed locations for the two bus stops would provide residents easier and closer transit access to the Library. The City Librarian also supports the request.

This item was presented to the Traffic Safety Committee ("Committee") on February 8, 2017. A representative from MTS was in attendance and spoke in support of the relocation of the two existing bus stops. The Committee unanimously approved the staff recommendation to relocate two existing bus stops located on National City Boulevard south of 16th Street to National City Boulevard south of 14th Street near the Library. The new bus stops will require installation of red curb "No Parking". Therefore, the Committee also approved the staff recommendation to install 115 feet of red curb "No Parking" for the new bus stop on the east side of National City Boulevard and 112 feet of red curb "No Parking" for the new bus stop on the west side of National City Boulevard.

If the bus stop relocations are approved, the red curb and poles will be installed by MTS. City Public Works will relocate the benches and remove the red curb at the existing bus stops. These actions would result in a net loss of 4 parking spaces on National City Blvd.



## Location Map with Recommended Enhancements (TSC Item: 2017-05)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE  
AGENDA REPORT FOR FEBRUARY 08, 2017**

**ITEM NO. 2017-05**

**ITEM TITLE:** **REQUEST FOR RELOCATION OF TWO EXISTING BUS STOPS  
LOCATED ON NATIONAL CITY BOULEVARD SOUTH OF 16TH  
STREET TO NATIONAL CITY BOULEVARD SOUTH OF 14TH  
STREET NEAR THE NATIONAL CITY PUBLIC LIBRARY**

**PREPARED BY:** Luca Zappiello, Civil Engineering Technician

**DISCUSSION:**

Staff received a request from National City residents to install two bus stops on the east and west sides of National City Boulevard south of 14<sup>th</sup> Street near the National City Public Library ("Library"). The residents stated that the two existing bus stops on National City Boulevard south of 16<sup>th</sup> Street are located too far from the Library, making it difficult to access public transportation. The proposed relocation of the two existing bus stops would provide residents easier and closer transit access to the Library.

City Engineering staff worked with MTS to assess the opportunity to relocate the two existing bus stops from National City Boulevard south of 16<sup>th</sup> Street, to approximately 650 feet further north, near the Library, as shown on the attached Location Map. The existing bus stop red curb "No Parking" on the east side and west side of National City Boulevard south of 16<sup>th</sup> Street is approximately 57 feet and 87 feet, respectively. The posted speed limit on National City Boulevard is 30 mph. The length of curb for the proposed bus stop locations on the east side and west side of National City Boulevard south of 14<sup>th</sup> Street near the Library is approximately 115 feet and 112 feet, respectively. Based on these measurements, the curb is long enough to accommodate a bus stop in each direction.

City Engineering staff and MTS agreed that the proposed locations for the two bus stops would provide residents easier and closer transit access to the Library.

If the bus stop relocations are approved, the red curb and poles would be installed by MTS. City Public Works would relocate the benches and remove the red curb at the existing bus stops.

**STAFF RECOMMENDATION:**

Staff recommends relocating two existing bus stops located on National City Boulevard south of 16<sup>th</sup> Street to National City Boulevard south of 14<sup>th</sup> Street near the National City Public Library. The new bus stops will require installation of red curb "No Parking". Staff recommends installing 115 feet of red curb "No Parking" for the new bus stop on the east side of National City Boulevard south of 14<sup>th</sup> Street and 112 feet of red curb "No Parking" for the new bus stop on the west side of National City Boulevard near the National City Public Library. Staff also recommends removing all of the red curb "No Parking" at the two existing bus stops to allow for public parking.

**EXHIBITS:**

1. Correspondence
2. Location Map
3. Photos

2017-05



## **Stephen Manganiello**

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**From:** Hector Soliman-Valdez  
**Sent:** Friday, December 09, 2016 3:22 PM  
**To:** Stephen Manganiello  
**Cc:** Denis Desmond  
**Subject:** Addition of Bus Stop to serve the National City Public Library

Hello Stephen,

As per our discussion earlier today, It has been brought to our attention by both a member of our board, and by National City Residents through you that there is a desire to have a bus stop located in front of the National City Public Library on National City Boulevard. Upon review MTS is able to move our Route 932 bus stop pair located at National City Boulevard and 16<sup>th</sup> Street for this purpose.

In order to successfully move our stop pair to service the Public Library we request the following:

- Removal of decorative bench at the current north bound National City and 16<sup>th</sup> Street stop, and reinstallation of this bench at the new stop in front of the Library.
- Addition of red curb from the "Bulb-Out" to the driveway of the Library.
- Addition of red curb south bound on National City across from the Library for installation of a bus stop.
  - MTS will then place one of our new Metal-Ad benches at this location.

As discussed please keep me informed of the upcoming public traffic safety committee meeting so that I may attend on MTS' behalf. I look forward to working on this project with you.

**Héctor Solimán-Valdez**  
**Associate Transportation Planner**  
Metropolitan Transit System  
1255 Imperial Ave, Ste 1000  
San Diego, CA 92101

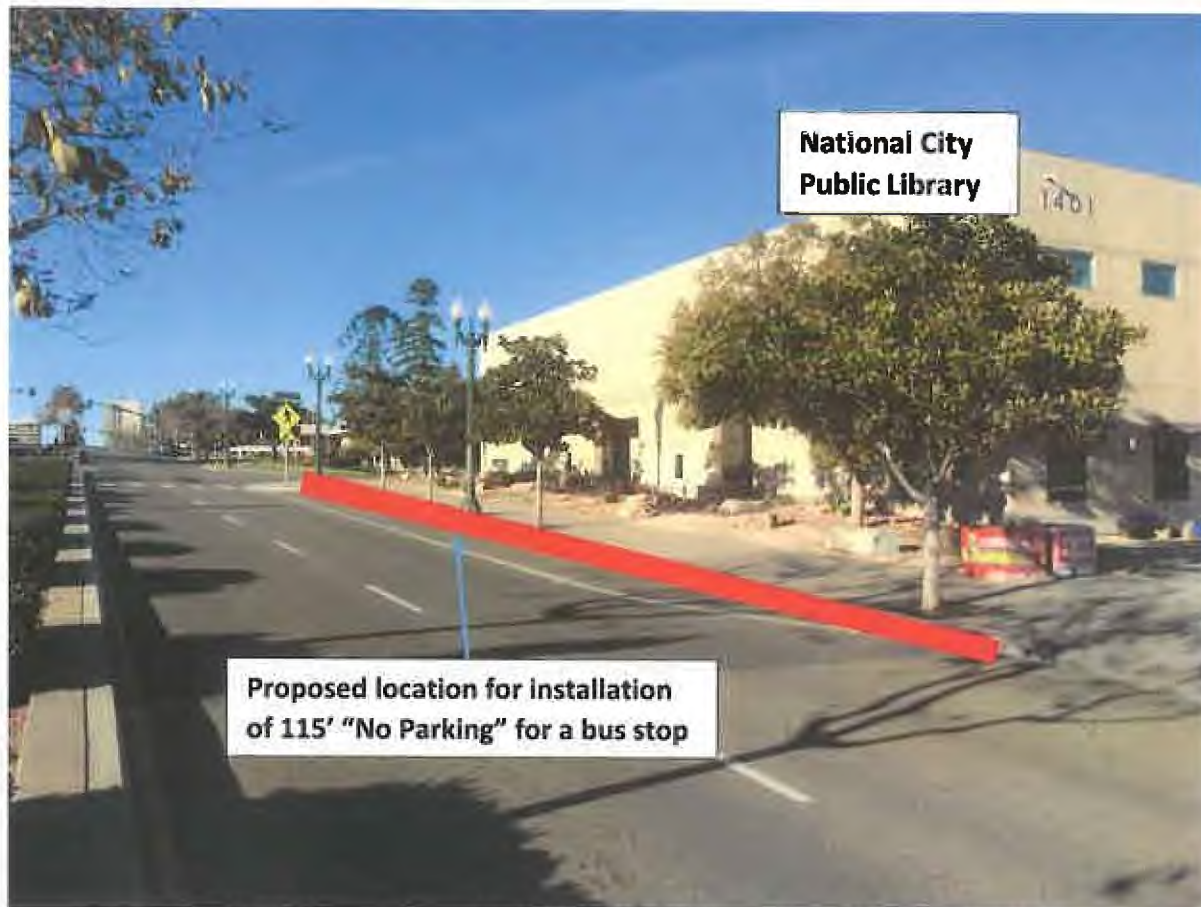




## Location Map with Recommended Enhancements (TSC Item: 2017-05)







National City  
Public Library

Proposed location for installation  
of 115' "No Parking" for a bus stop

Location of request for red curb "No Parking" for a bus stop (looking north)



1420 National  
City Boulevard

Proposed location for installation  
of 112' "No Parking" for a bus stop

Location of request for red curb "No Parking" for a bus stop (looking northwest)

RESOLUTION NO: 2017 – 27

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AUTHORIZING THE CITY ENGINEER TO COORDINATE WITH SAN DIEGO  
METROPOLITAN TRANSIT SYSTEM (MTS) TO RELOCATE TWO EXISTING  
BUS STOPS LOCATED ON NATIONAL CITY BOULEVARD SOUTH OF  
16TH STREET TO NATIONAL CITY BOULEVARD SOUTH OF 14TH STREET  
NEAR THE NATIONAL CITY PUBLIC LIBRARY, PAINT RED CURB  
“NO PARKING” AT THE TWO NEW BUS STOPS, AND REMOVE RED CURB  
“NO PARKING” AT THE TWO EXISTING BUS STOPS AFTER RELOCATION

WHEREAS, the City received a request from National City residents to install two bus stops on the east and west sides of National City Boulevard, south of 14th Street near the National City Public Library (“Library”) because the two existing bus stops on National City Boulevard south of 16th Street are located too far from the Library, making it difficult to access public transportation; and

WHEREAS, the Engineering Department worked with the San Diego Metropolitan Transit System (“MTS”) to assess the opportunity to relocate the two existing bus stops from National City Boulevard south of 16th Street, to approximately 650 feet further north, near the Library, to provide residents easier and closer transit access to the Library; and

WHEREAS, at its meeting on February 8, 2017, the Traffic Safety Committee unanimously approved staff’s recommendation to relocate two existing bus stops located on National City Boulevard south of 16th Street to National City Boulevard south of 14th Street near the Library, including relocating the benches, installing 115 feet of red curb “No Parking” for the new bus stop on the east side of National City Boulevard, and 112 feet of red curb “No Parking” for the new bus stop on the west side of National City Boulevard, and the removal of the red curb at the existing bus stops.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the City Engineer to coordinate with the San Diego Metropolitan Transit System to relocate two existing bus stops located on National City Boulevard south of 16th Street to National City Boulevard south of 14th Street near the Library, including relocating the benches, installing 115 feet of red curb “No Parking” for the new bus stop on the east side of National City Boulevard, and 112 feet of red curb “No Parking” for the new bus stop on the west side of National City Boulevard, and the removal of the red curb at the existing bus stops.

PASSED and ADOPTED this 7<sup>th</sup> day of March, 2017.

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Ron Morrison, Mayor

ATTEST:

APPROVED AS TO FORM:

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Michael R. Dalla, City Clerk

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George H. Eiser, III  
Interim City Attorney

The following page(s) contain the backup material for Agenda Item: Warrant Register #28 for the period of 01/04/17 through 01/10/17 in the amount of \$864,457.13. (Finance)



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** March 7, 2017

**AGENDA ITEM NO.** \_\_\_\_\_

**ITEM TITLE:**

Warrant Register #28 for the period of 01/04/17 through 01/10/17 in the amount of \$864,457.13.  
(Finance)

**PREPARED BY:** K. Apalategui

**PHONE:** 619-336-4572

**DEPARTMENT:** Finance

**APPROVED BY:** Mark Rattich

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 01/04/17 through 01/10/17.

Consistent with Department of Finance, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Health Net Inc	326932	76,105.19	Insurance R1192A / Jan 2017
Kaiser Foundation HP	326936	183,703.52	Insurance Active / Jan 2017
Kimley Horn and Assoc	326941	98,132.17	Euclid Avenue Project
Portillo Concrete Inc	326946	162,891.75	Sewer Line Replacement Project

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

Warrant total \$864,457.13.

**APPROVED:** Mark Rattich

Finance

**APPROVED:** \_\_\_\_\_

MIS

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION: ☐

FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$864,457.13.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Warrant Register #28



**WARRANT REGISTER #28****1/10/2017**

<b><u>PAYEE</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>CHK NO</u></b>	<b><u>DATE</u></b>	<b><u>AMOUNT</u></b>
ACME SAFETY & SUPPLY CORP	SADDLES / PW	326905	1/10/17	326.90
KIAH, A	REFUND / CONSTRUCTION FEE PERMITS	326906	1/10/17	1,253.00
ASPEN RISK MANAGEMENT GROUP	RISK SERVICES FOR THE MONTH OCT 2016	326907	1/10/17	2,700.00
BANNER BANK	PLAZA BLVD. N AVE. PROJECT	326908	1/10/17	2,348.09
C A P F	FIRE LTD / JANUARY 2017	326909	1/10/17	955.50
CALIFORNIA AIR COMPRESSOR CO	3- DRY GAUGE DRY 1/4 CRT / PW	326910	1/10/17	199.88
CALIFORNIA LAW ENFORCEMENT	PD LTD / JAN 2017	326911	1/10/17	2,058.00
CITY OF SAN DIEGO	WASTEWATER CONTROL PROGRAM PERMIT	326912	1/10/17	6,364.00
COUNTY OF SAN DIEGO	RENEWAL FACILITY PERMIT FOR MUNICIPAL POOL	326913	1/10/17	588.00
COUNTY OF SAN DIEGO	PROFESSIONAL SERVICES	326914	1/10/17	36.00
CSULB FOUNDATION	TUITION FET TRAINING/SEGAL PD	326915	1/10/17	692.00
CSULB FOUNDATION	TUITION FET/FLORES PD	326916	1/10/17	310.00
CSULB FOUNDATION	FTO TUITION / YOUNG PD	326917	1/10/17	271.00
DELTA DENTAL	DENTAL INS PREMIER / JAN 2017	326918	1/10/17	15,397.86
DELTA DENTAL	COBRA PREMIER DENTAL INS / NOV 2016	326919	1/10/17	45.22
DELTA DENTAL INSURANCE CO	PMI DENTAL INS / JAN 2017	326920	1/10/17	2,882.88
DELTA DENTAL INSURANCE CO	COBRA DENTAL INS PMI / NOV 2016	326921	1/10/17	55.44
DICK MILLER INC	PLAZA BLVD. WIDENING N AVE. PROJECT	326922	1/10/17	44,613.74
DISCOUNT SPECIALTY CHEMICALS	GOOP OFF CASE / PW	326923	1/10/17	460.00
ENTERPRISE FLEET MANAGEMENT	VEHICLE LEASE AND MAINTENANCE	326924	1/10/17	14,485.57
FEDEX	CALTRANS & SWA MAILING	326925	1/10/17	174.61
GEOSYNTEC CONSULTANTS INC	PARADISE CREEK EMERG. PROJECT	326926	1/10/17	24,351.84
HAAKER EQUIPMENT COMPANY	END COUPLER PARTS / PW	326927	1/10/17	468.43
HARRIS & ASSOCIATES	MISC. SEWER ENG. SUPPORT PROJECT	326928	1/10/17	1,525.00
HEALTH NET	NETWORK 57135A / JAN 2017	326929	1/10/17	5,334.29
HEALTH NET	INSURANCE N5992A / JAN 2017	326930	1/10/17	2,146.62
HEALTH NET	INSURANCE N5992F / JAN 2017	326931	1/10/17	651.54
HEALTH NET INC	INSURANCE R1192A / JAN 2017	326932	1/10/17	76,105.19
HONEYWELL INTERNATIONAL INC	CONDENSATE DRAIN PAN / PW	326933	1/10/17	502.87
ICMA MEMBERSHIP RENEWALS	ICMA MEMBERSHIP DUES / CMO/ 2017	326934	1/10/17	1,400.00
JJJ ENTERPRISES	SECURITY MONITORING SERVICES	326935	1/10/17	120.00
KAISER FOUNDATION HEALTH PLANS	INSURANCE ACTIVE / JAN 2017	326936	1/10/17	183,703.52
KAISER FOUNDATION HEALTH PLANS	RETIREEES INS / JANUARY 2017	326937	1/10/17	19,674.97
KAISER FOUNDATION HEALTH PLANS	RETIREEES INS / JAN 2017	326938	1/10/17	7,572.29
KAISER FOUNDATION HEALTH PLANS	HD HSA INS / JAN 2017	326939	1/10/17	5,622.80
KAISER FOUNDATION HEALTH PLANS	RETIREEES INS COBRA / NOV 2016	326940	1/10/17	1,647.02
KIMLEY HORN AND ASSOC INC	EUCLID AVENUE PROJECT	326941	1/10/17	98,132.17
LOPEZ, J	MILEAGE REIMBURSEMENT	326942	1/10/17	9.94
ORKIN	PEST CONTROL SERVICES / PW	326943	1/10/17	416.50
OSCAR FAMANIA RME	REFUND OF FEES - BLDG	326944	1/10/17	100.00
PENSKE FORD	R&M CITY VEHICLES FOR FY 2017	326945	1/10/17	702.37
PORTILLO CONCRETE INC	SEWER LINE REPLACEMENT PROJECT	326946	1/10/17	162,891.75
PRO BUILD	MOP 45707. MATERIALS FOR FACILITIES	326947	1/10/17	27.42
RANDALL LAMB ASSOCIATES INC	N.C. CORRECTIVE ACTION PLAN PROJECT	326948	1/10/17	6,062.50
RELIANCE STANDARD	VOLUNTARY LIFE INS / JAN 2017	326949	1/10/17	2,727.82
RELY ENVIRONMENTAL	HAZARDOUS MATERIAL AND CONSULTING SVCS	326950	1/10/17	9,366.00
SAFRAN MORPHOTRUST	FINGERPRINT SUBMISSIONS / HR	326951	1/10/17	30.00
SAN DIEGO UNION TRIBUNE	ADV. WAYFINDING/CMP REPLAC.	326952	1/10/17	1,277.72
SCST INC	SEWER LINE RE PROJECT	326953	1/10/17	15,636.23



# **WARRANT REGISTER #28**

**1/10/2017**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SDG&E	UTILITIES FACILITIES DIVISION GAS & ELECTRIC	326954	1/10/17	42,789.18
SMART SOURCE OF CALIFORNIA LLC	BUSINESS CARD MASTERS / FINANCE	326955	1/10/17	1,199.00
SOUTH COAST PIERING	PROX SWITCH, RH W RELAY / PW	326956	1/10/17	285.67
SOUTHWEST SIGNAL SERVICE	STREET LIGHT MAINTENANCE / OCT 2016	326957	1/10/17	21,805.35
SWEETWATER AUTHORITY	FACILITIES DIVISION WATER BILL FY 2017	326958	1/10/17	35,023.77
SWRCB	ANNUAL PERMIT / PARADISE CREEK REST PJCT	326959	1/10/17	725.00
TERRA BELLA NURSERY INC	6' SUCCULENT ASSORTED	326960	1/10/17	490.84
THE LIGHTHOUSE INC	LED LIGHT HEAD	326961	1/10/17	1,591.40
THE LINCOLN NATIONAL LIFE INS	LIFE & AD&D, STD, LTD INS / JAN 2017	326962	1/10/17	10,058.94
T'S & SIGNS	NEIGHBORHOOD COUNCIL CALENDARS	326963	1/10/17	354.25
U S BANK	CREDIT CARD EXPENSES / FIRE	326964	1/10/17	335.00
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453. SUPPLIES FOR FACILITIES	326965	1/10/17	433.31
VULCAN MATERIALS COMPANY	3/4 2 BASE / PW	326966	1/10/17	326.05
ABLE PATROL & GUARD	SECURITY GUARD SERVICES FOR THE LIBRARY	326967	1/10/17	5,154.10
AMAZON	BOOKS / LIBRARY	326969	1/10/17	4,568.57
BAKER & TAYLOR	BOOKS / LIBRARY	326970	1/10/17	1,666.53
BRODART CO	BOOKS / LIBRARY	326971	1/10/17	935.45
CENGAGE LEARNING INC	LARGE PRINT BOOKS - LIBRARY	326972	1/10/17	299.75
EBSCO INFORMATION SERVICES	ON-LINE SUBSCRIPTIONS / LIBRARY	326973	1/10/17	5,993.23
MIDWEST TAPE	DVD'S / LIBRARY	326975	1/10/17	4,931.25
MPS NORTH AMERICA	CALIFORNIA HISTORY / LIBRARY	326976	1/10/17	158.00
NEW READERS PRESS	CHALLENGER SECOND EDITION STUDENT BOOKS	326977	1/10/17	85.48
STAPLES BUSINESS ADVANTAGE	MOP #45704 - COPY PAPER / LIBRARY	326978	1/10/17	626.52
U S POSTMASTER	POSTAGE FOR OVERDUE NOTICES / LIBRARY	326979	1/10/17	196.00

**A/P Total 864,457.13**

**GRAND TOTAL**

**\$ 864,457.13**



## Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

  
\_\_\_\_\_  
MARK ROBERTS, FINANCE

\_\_\_\_\_  
LESLIE DEESE, CITY MANAGER

### FINANCE COMMITTEE

\_\_\_\_\_  
RONALD J. MORRISON, MAYOR-CHAIRMAN

\_\_\_\_\_  
ALBERT MENDIVIL, VICE-MAYOR

\_\_\_\_\_  
ALEJANDRA SOTELO-SOLIS, MEMBER

\_\_\_\_\_  
MONA RIOS, MEMBER

\_\_\_\_\_  
JERRY CANO, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 7<sup>th</sup> OF MARCH, 2017.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: Warrant Register #29 for the period of 01/11/17 through 01/17/17 in the amount of \$1,700,815.93.  
(Finance)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** March 7, 2017

**AGENDA ITEM NO.** \_\_\_\_\_

**ITEM TITLE:**

Warrant Register #29 for the period of 01/11/17 through 01/17/17 in the amount of \$1,700,815.93.  
(Finance)

**PREPARED BY:** K. Apalategui

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 01/11/17 through 01/17/17.

Consistent with Department of Finance, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Medifit Community Services	327036	67,656.48	Management fee of Pool / Oct & Nov 2016
Public Emp Ret System	1112017	408,041.62	Service Period 12/20/16-01/02/17

**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

Warrant total \$1,700,815.93.

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:** INTRODUCTION: ☐

**FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$1,700,815.93.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Warrant Register #29





# WARRANT REGISTER #29

1/17/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
GTC SYSTEMS INC	GTC NETWORK ENGINEERING	326980	1/17/17	19,124.00
ACE UNIFORMS & ACCESSORIES INC	PANTS PIPING / FIRE	326981	1/17/17	2,635.75
ADAMSON POLICE PRODUCTS	POLICE PRODUCTS APEX CARRIER/CARDOZA	326982	1/17/17	92.66
ADMINSURE INC	WORKERS COMP CLAIM COSTS	326983	1/17/17	13,896.66
AETNA RESOURCES FOR LIVING	EMPLOYEE ASSISTANCE PROGRAM - JANUARY	326984	1/17/17	805.50
AMERICAN RADIO INC	BENDIX BELT CLIPS / FIRE	326986	1/17/17	66.00
ARC ERGONOMICS	OFFICE SUPPLIES / CITY ATTORNEY	326987	1/17/17	86.35
ASCAP	LICENSE FEE / CMO / 2017	326988	1/17/17	680.00
ASSI SECURITY INC	REPAIRS AND MAINTENANCE ON ELECTRIC DOOR	326989	1/17/17	220.00
AT&T	AT&T NOVEMBER 2016	326990	1/17/17	38.26
BAUER COMPRESSORS	PARTS / FIRE	326991	1/17/17	3,998.98
BEST BEST & KRIEGER ATTN LAW	PROFESSIONAL SERVICES	326992	1/17/17	1,229.10
BEST BEST & KRIEGER ATTN LAW	PROFESSIONAL SERVICES	326993	1/17/17	470.30
BEST BEST & KRIEGER ATTN LAW	LIABILITY CLAIM COSTS	326994	1/17/17	118.00
BEST BEST & KRIEGER ATTN LAW	LEGAL SERVICES	326995	1/17/17	27.90
BIDDLE CONSULTING GROUP INC	PROMOTIONAL ACTIVITIES	326996	1/17/17	1,539.00
BILATERAL SAFETY CORRIDOR	7TH FREEDOM BREAKFAST / R. MORRISON	326997	1/17/17	50.00
CEB	LEGAL PUBLICATION	326998	1/17/17	441.53
CNOA	TUITION LEGAL UPDATE TRAINING/ HERNANDEZ	326999	1/17/17	70.00
COMMERCIAL AQUATIC SERVICE INC	PURCHASE OF CHEMICALS & POOL SUPPLIES / PW	327000	1/17/17	1,874.81
CONTRERAS, R	REIMB - FEDERAL BAR ASSOCIATION	327001	1/17/17	85.00
COUNTY OF SAN DIEGO	PROFESSIONAL SERVICES / HOUSING	327002	1/17/17	10.00
COUNTY OF SAN DIEGO	REGIONAL COMMUNICATIONS DECEMBER 2016	327003	1/17/17	8,112.50
COUNTY OF SAN DIEGO	MAIL PROCESSING SERVICES DEC 2017	327004	1/17/17	3,137.69
COX COMMUNICATIONS	COX SERVICES / JANUARY 2016	327005	1/17/17	514.76
CYNTHIA TITGEN CONSULTING INC	PROFESSIONAL SERVICES / DECEMBER 2016 / RISK	327006	1/17/17	2,415.00
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	327007	1/17/17	10,345.33
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	327008	1/17/17	6,892.03
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	327009	1/17/17	5,973.10
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	327010	1/17/17	4,602.32
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	327011	1/17/17	2,290.92
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	327012	1/17/17	2,257.40
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	327013	1/17/17	710.76
DATA TICKET INC	DATA TICKET APPEALS & ON-LINE ACCESS / NSD	327014	1/17/17	2,086.84
DAY WIRELESS SYSTEMS (20)	COMMS SERVICE / FIRE	327015	1/17/17	649.75
DEEPNET SECURITY	SOFTWARE RENEWAL FY 2017 / MIS	327016	1/17/17	2,020.00
DEPARTMENT OF JUSTICE	NEW EMPLOYEE FINGERPRINT TEST RESULTS	327017	1/17/17	576.00
DIAMOND ENVIRONMENTAL SVCS	PORTA POTTY RENTAL FOR XMAS EVENT / CSD	327018	1/17/17	1,851.20
DIAZ, M	LICENSE REIMBURSEMENT	327019	1/17/17	60.00
DIVISION OF THE STATE	SB1186 DISABILITY & EDU FUND PAYMENT	327020	1/17/17	74.70
DURON, C	EDUCATION REIMBURSEMENT	327021	1/17/17	137.50
E2 MANAGE TECH INC	NATIONAL CITY 2020 HOOVER UST / ENG	327022	1/17/17	2,640.00
GEORGE H WATERS NUTRITION CTR	NEIGHBORHOOD COUNCIL BREAKFAST / DEC 2016	327023	1/17/17	2,125.00
GRAINGER	MOP#65179 MATERIALS & SUPPLIES / PW	327024	1/17/17	685.47
GRAINGER	MOP 65179. BATTERIES FOR XMAS LIGHTS/ CSD	327025	1/17/17	98.63
GROSSMAN PSYCHOLOGICAL	PD PRE EMPLOYMENT PSYCH. EVALS	327026	1/17/17	300.00
INNOVATIVE TENANT IMPROVEMENTS	REFUND OF C & D DEPOSIT / BLDG	327027	1/17/17	1,096.20
KNOX ATTORNEY SERVICE INC	ATTORNEY SERVICES	327028	1/17/17	378.50
KONICA MINOLTA	COPIER EQUIPMENT NOVEMBER 2016	327029	1/17/17	6,333.57





# WARRANT REGISTER #29

1/17/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
L N CURTIS & SONS	TURNOUTS / FIRE	327030	1/17/17	9,480.13
LASER SAVER INC	TONER FOR PRINTER / MIS	327031	1/17/17	87.15
LEAGUE OF CALIFORNIA CITIES	MEMBERSHIP RENEWAL / CMO / 2017	327032	1/17/17	18,806.00
LOPEZ, J	TRAVEL EXPENSE / ENGINEERING	327033	1/17/17	15.01
MALLORY SAFETY & SUPPLY LLC	LED YELLOW PELICAN / FIRE	327034	1/17/17	2,048.01
MATTHEW BENDER & CO INC	LEGAL PUBLICATION	327035	1/17/17	1,356.30
MEDIFIT COMMUNITY SERVICES LLC	MANAGEMENT FEE OF POOL / OCT & NOV 2016	327036	1/17/17	67,656.48
MORRISON, D	REIMB/COSTUME FOR STATE OF THE CITY ADDRESS	327037	1/17/17	193.06
MOTOROLA SOLUTIONS INC	SMARTZONE TRUNKING OPERATION	327038	1/17/17	25,097.37
NAGLE, D	TRAINING REIMBURSEMENT / NAGLE PD	327039	1/17/17	122.86
NATIONAL CITY TROPHY	MOP 66556. SUPPLIES / FIRE	327040	1/17/17	73.58
NORTHERN TOOL & EQUIPMENT	HOT PRESSURE WASHER TRAILER / NSD	327041	1/17/17	7,399.99
NUTTALL, M	ADV. LODGING SUB/ TRAINING NUTTALL PD	327042	1/17/17	492.40
ORKIN	CITY WIDE PEST CONTROL SERVICE / PW	327043	1/17/17	833.00
PALMA, A	EDUCATION REIMBURSEMENT	327044	1/17/17	221.44
PENSKE FORD	MOP#49078 AUTO SUPPLIES / PW	327045	1/17/17	15.87
PERRY FORD	MOP#45703 AUTO SUPPLIES / PW	327046	1/17/17	91.96
PERSONNEL CONCEPTS	LABOR LAW POSTERS FOR FACILITIES	327047	1/17/17	289.94
POWERSTRIDE BATTERY CO INC	MOP#67839 AUTO SUPPLIES / PW	327049	1/17/17	445.65
PRO BUILD	MOP#45707 SUPPLIES / PW	327050	1/17/17	2,155.29
PROMPT CUSTOMER SERVICE	WILDLAND JACKETS / POLICE	327051	1/17/17	1,209.90
PRUDENTIAL OVERALL SUPPLY	MOP#45742 LAUNDRY SERVICES / PW	327052	1/17/17	779.75
QUALA TEL ENTERPRISES	REPAIR OF HEADSETS / FIRE	327053	1/17/17	891.61
QUESTYS SOLUTIONS	AGENDA CUSTOMIZATION / MIS	327054	1/17/17	1,000.00
RIVERSIDE SHERIFF'S DEPT	TRAINING TUITION / NUTTALL PD	327055	1/17/17	160.00
RON BAKER CHEVROLET	MOP#45751 AUTO SUPPLIES	327056	1/17/17	18.40
SAFRAN MORPHOTRUST	NEW EMPLOYEE FINGERPRINT TEST SUBMISSION	327057	1/17/17	20.00
SAN DIEGO COUNTY BAR ASSOC	BAR ASSOCIATION DUES /PEDONE & CONTRERAS	327058	1/17/17	450.00
SAN DIEGO PET SUPPLY	MOP 45753 SUPPLIES FOR K9 / PD	327059	1/17/17	208.95
SAN DIEGO UNION TRIBUNE	LEGAL NOTICES ADVERTISING	327060	1/17/17	1,202.20
SASI	ANNUAL BASE FEE 2/01/16 - 01/31/17	327061	1/17/17	405.00
SDG&E	FACILITIES DIVISION GAS & ELECTRIC UTILITIES	327062	1/17/17	14,012.37
SHEPHARD, S	ADV SUBSISTENCE / SHERMAN BLOCK SLI / PD	327063	1/17/17	384.00
SHERWIN WILLIAMS	MOP#77816 PAINTING SUPPLIES / PW	327064	1/17/17	77.41
SHRED IT	SHREDDING SERVICES / PD	327065	1/17/17	300.90
SMART SOURCE OF CALIFORNIA LLC	MOP 63845. BUSINESS CARD IMPRINTS / FINANCE	327066	1/17/17	595.31
STANICH, C	ADV LODGING FOR TRAINING/STANICH/PD	327067	1/17/17	101.38
STAPLES BUSINESS ADVANTAGE	MOP 45704. OFFICE SUPPLIES / FIRE	327068	1/17/17	272.05
SWEETWATER AUTHORITY	PARKS DIVISION WATER BILL FY 2017	327069	1/17/17	3,202.50
TAYLOR, J	ADV LODGING FOR TRAINING/TAYLOR/PD	327070	1/17/17	112.40
THOMSON REUTERS WEST	ONLINE LEGAL RESEARCH	327071	1/17/17	1,619.70
U S BANK	CREDIT CARD EXPENSES / POLICE	327072	1/17/17	1,739.32
U S BANK	CREDIT CARD EXPENSES / HR	327073	1/17/17	1,135.78
U S HEALTHWORKS	MEDICAL SERVICES	327074	1/17/17	1,106.00
UNDERGROUND SERVICE ALERT	UNDERGROUND SERVICE ALERT FY 2017	327075	1/17/17	210.00
UNITED ROTARY BRUSH CORP	STREET SWEEPER REPAIRS / PW	327076	1/17/17	531.56
VALLEY INDUSTRIAL SPECIALTIES	MOP#46453 SUPPLIES / PW	327077	1/17/17	36.72
WILSON, V	TUITION TRAINING MANG/NAGLE PD	327078	1/17/17	25.00
VERIZON WIRELESS	VERIZON DECEM	327079	1/17/17	11,705.06

**WARRANT REGISTER #29****1/17/2017**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
VISION SERVICE PLAN	VISION SERVICE PLAN (CA)	327080	1/17/17	568.56
WEST PAYMENT CENTER	LEGAL PUBLICATIONS / CITY ATTORNEY	327081	1/17/17	2,228.15
YMCA OF SAN DIEGO COUNTY	YMCA DR. MLK AWARD BREAKFAST / R MORRISON	327082	1/17/17	45.00
ZOLL MEDICAL CORP	PEDIATRIC SENSORS / FIRE	327083	1/17/17	1,193.22
DEPT OF TOXIC SUBSTANCE CONTROL	SERVICES FOR PUBLIC WORKS YARD	327084	1/17/17	935.05
PHILLIPS JR, W	ADV. LODGING FOR TRAINING/PHILLIPS PD	327085	1/17/17	112.40
PHILLIPS, W	TRAINING ADV LODGE SUBSISTENCE/ PHILLIPS	327086	1/17/17	1,312.70
SDG&E	GAS AND ELECTRIC UTILITIES SERVICES	327087	1/17/17	104.24
U S BANK	CREDIT CARD EXPENSES / PLANNING	327088	1/17/17	313.14
<b>A/P Total</b>				<b>303,132.19</b>
<b>WIRED PAYMENTS</b>				
ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET DECEMBER 2016	100890	1/12/17	21,474.63
PAYCHEX BENEFIT TECHNOLOGIES	BENETRAC ESR SVCS BASE FEE JAN 2017	392933	1/13/17	500.00
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 12/20/16 - 01/02/17	1112017	1/11/17	408,041.62
<b>PAYROLL</b>				
<b>Pay period</b>	<b>Start Date</b>	<b>End Date</b>	<b>Check Date</b>	
28	1/13/2017	1/16/2017	1/25/2017	<b>967,667.49</b>
<b>GRAND TOTAL</b>				<b><u>\$ 1,700,815.93</u></b>

## Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

  
\_\_\_\_\_  
MARK ROBERTS, FINANCE

\_\_\_\_\_  
LESLIE DEESE, CITY MANAGER

### FINANCE COMMITTEE

\_\_\_\_\_  
RONALD J. MORRISON, MAYOR-CHAIRMAN

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ALBERT MENDIVIL, VICE-MAYOR

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ALEJANDRA SOTELO-SOLIS, MEMBER

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MONA RIOS, MEMBER

\_\_\_\_\_  
JERRY CANO, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 7<sup>th</sup> OF MARCH, 2017.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopted pursuant to Government Code Section 65858 as an urgency measure to take effect immediately, enacting a moratorium prohibiting the issuance of massage technician permits or licenses and



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** March 7, 2017

**AGENDA ITEM NO.** |

**ITEM TITLE:**

An Ordinance of the City Council of the City of National City adopted pursuant to Government Code Section 65858 as an urgency measure to take effect immediately, enacting a moratorium prohibiting the issuance of massage technician permits or licenses and prohibiting new massage establishments from locating within the City of National City for a period of 45 days.

**PREPARED BY:** George H. Eiser, III

**DEPARTMENT:** City Attorney

**PHONE:** 336-4222

**APPROVED BY:** 

**EXPLANATION:**

Please see attached memorandum.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ Finance

**APPROVED:** \_\_\_\_\_ MIS

N/A

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☒

**STAFF RECOMMENDATION:**

Adopt proposed Ordinance.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Memorandum  
Proposed Ordinance



Mayor  
Ron Morrison

Council Members  
Jerry Cano  
Alejandra Sotelo-Solis  
Mona Rios  
Albert Mendivil



Interim City Attorney  
George H. Eiser, III

Senior Assistant City Attorney  
Nicole Pedone

Deputy City Attorney  
Roberto M. Contreras

## MEMORANDUM

TO: Mayor and City Council  
DATE: March 7, 2017  
FROM: Interim City Attorney  
SUBJECT: Interim Ordinance to Adopt as an Urgency Measure a Moratorium Prohibiting Issuance of a Massage Technician Permits or Licenses and Prohibiting New Massage Establishments from Locating within the City for a Period of 45 Days

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### INTRODUCTION

The proposed interim ordinance would impose a moratorium prohibiting the issuance of new massage technician permits, and prohibiting new massage establishments from locating within the City for a period of 45 days. The interim ordinance requires a 4/5 vote of the City Council for approval, and would take effect immediately.

### DISCUSSION

#### Current National City Massage Establishment Regulations

The permitting, regulation, and zoning provisions pertaining to massage technicians and massage establishments in National City are currently found in Chapters 10.70, 10.79, and 18.30 of the Municipal Code.

Chapter 10.70, titled "Police Regulated Business Regulations", establishes procedures for permit issuance and regulation of certain businesses and activities as "police regulated" for the protection of the public health, safety, and welfare. Businesses and activities regulated by this Chapter are identified in Chapters 10.71 through 10.79, and include massage technicians and massage establishments. Section 10.70.010(A) recites that such businesses and activities have a higher degree of potential for one or more types of illicit activity, including prostitution and disorderly conduct. In addition to a business license and other required permits, massage technicians and massage establishments must obtain a permit from the Chief of Police, after undergoing an application process that may include fingerprinting and furnishing a criminal history.

Chapter 10.79, titled "Massage Establishments", provides "for the orderly regulation of massage establishment businesses in the City in order to prevent the facilitation of prostitution". Chapter



10.79 requires any massage technician or massage establishment to obtain a massage technician permit or massage operator permit, respectively, in accordance with the procedures set forth in Chapter 10.70. Additionally, Chapter 10.79 sets forth minimum operating and facilities requirements for massage establishments, including the requirement that facilities contain at least one tub or shower, and that during hours of operation massage technicians be fully covered from a point not to exceed four inches above the center of the kneecap to the base of the neck.

Chapter 18.30, titled “Specific Use Regulations,” and more specifically, Section 18.30.030, titled “Adult-oriented businesses,” are found in Title 18, which contains the zoning and land use regulations of the Municipal Code. Section 18.30.010 states the purpose of Chapter 18.30 is to provide standards for certain land uses and activities that require special standards to mitigate their potential adverse impacts. “Massage parlors” are included as “adult-oriented businesses” within the scope of the regulations set forth in Section 18.30.030. That section provides that all adult-oriented businesses, including massage parlors, are prohibited from being established or operated within 1,500 feet of another adult-oriented business, within 1,500 feet of any school or park within the City, or within 1,000 feet of any residentially-zoned property. The section further provides that massage parlors are permitted only upon issuance of a conditional use permit (CUP).

#### State Law Authorizing City Regulation of Massage Establishments

The City derives its authority to regulate massage establishments from Article XI, Section 7 of the California Constitution, as well as from statutes enacted by the State Legislature, including Section 4600 et seq. of the California Business & Professions Code, and Section 51030 et seq. of the California Government Code.

Section 4600 et seq. of the Business & Professions Code is commonly known as the Massage Therapy Act (the “Act”). Section 4600.5 of the Act states that it is the intent of the State Legislature that broad control over land use in regulating massage establishments be vested in local governments, and that the requirements and practice of the profession of massage therapy remain a matter of statewide concern. Section 4602 creates the California Massage Therapy Council, which is authorized to exercise extensive control over the licensing and regulation of individuals engaged in the practice of massage. Section 4603.1 states that local governments shall impose and enforce only “reasonable and necessary” fees and regulations on massage businesses and massage establishments. Section 4612 provides that a city shall not enact or enforce an ordinance that conflicts with the Act, or with Section 51034 of the Government Code.

The Massage Therapy Act was enacted as urgency legislation by the State Legislature in January, 2009, to take effect immediately. Certain provisions of the Act were amended more recently, first in 2014 and again in 2016, certain of which amendments were inconsistent with the original version of the Act, with the latest amendment taking effect January 1, 2017. This frequent change in statutory provisions has created some uncertainty concerning the manner and degree to which cities may regulate massage technicians and massage establishments.

In addition to the Massage Therapy Act, city control over massage businesses is governed by Section 51030 et seq. of the Government Code. While Section 51030 provides that the legislative body of a city may enact an ordinance which provides for the licensing of the business of



7

message, Section 51034 sets forth 11 specific types of conduct which a city *cannot* engage in when regulating massage businesses. These provisions create inconsistencies with certain current provisions of the Municipal Code, including the following:

- Section 51034(c)(2) prohibits a city from defining a massage establishment as an “adult business;” Section 18.30.030(B)(14) of the Municipal Code includes “massage parlor” within the definition of “adult-oriented business,” and imposes special regulations on such adult-oriented businesses.
- Section 51034(c)(4) prohibits a city from requiring a massage establishment to have a shower or a bath; Section 10.79.070(G) of the Municipal Code requires massage establishments to have a minimum of one tub or shower.
- Section 51034(c)(8) prohibits a city from imposing a requirement that a person certified under the Massage Therapy Act undergo a criminal background check or submit fingerprints to obtain a massage permit or license; Section 10.70.030(A) of the Municipal Code provides that the Chief of Police may require a person applying for a permit to practice massage or operate a massage establishment to be fingerprinted; Section 10.70.030(B) provides that an applicant shall submit information regarding arrests; and Section 10.79.060 sets forth additional requirements such as a certificate from a medical doctor and that a massage technician shall furnish fingerprints.
- Section 51034(c)(10) prohibits a city from imposing a dress code requirement on a person certified pursuant to the Act in excess of those already imposed by the Act; Section 10.79.080(K) of the Municipal Code requires massage technicians to be fully covered from a point not to exceed four inches above the center of the kneecap to the base of the neck, a stricter dress requirement than that set forth in the Act.

#### The Necessity for Amending the Municipal Code

As discussed above, there are certain provisions of the Municipal Code applicable to the regulation of massage technicians and massage establishments that are clearly inconsistent with the binding mandates and prohibitions of state law in this field of regulation. A valid ordinance regulating massage technicians and massage establishments is necessary to protect the public health, safety, and welfare, in that such an ordinance will ensure that legitimate businesses of massage are operated in a clean and sanitary manner, and that problems with lewd conduct and prostitution do not arise with businesses that are not legitimate.

It is submitted that within the meaning of Section 65858 of the Government Code, there is a current and immediate threat to the public health, safety, and welfare of the City and its residents resulting from the absence of a local ordinance that follows state mandates and prohibitions relating to massage establishments and technicians, and that the location of such establishments, and the issuance of permits and other entitlements for such establishments, would result in a threat to the public health, safety, and welfare if the City’s massage regulatory ordinances were to be found invalid.

### Why an Urgency Ordinance Imposing an Immediate Moratorium is Being Proposed

The Police Department reports a recent increase in prostitution activity at several business locations throughout the City operating under the guise of massage establishments. At least six (6) of such illegitimate massage establishments have been identified, all operating without the required City permits or licenses and in violation of numerous local and state laws. A well-drafted ordinance, consistent with state law, is required to prevent such illegitimate businesses from being established in the City, as well as to ensure that legitimate massage businesses are operated in a clean and sanitary manner.

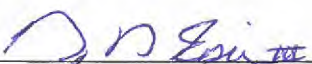
Because sufficient time is needed to prepare such an ordinance, it is recommended that the City Council enact an urgency ordinance imposing a moratorium upon the issuance of any new license or permit for the practice of massage, or the establishment of any new massage establishment, within the City. If approved by the City Council, the moratorium would not affect persons currently engaged in the lawful practice of massage, or lawful massage establishments currently operating within the City. The City Council has enacted moratoriums in the past affecting several land uses, including payday lenders, fast food restaurants, adult-oriented businesses, and previously in 2010, massage establishments.

### Statutory Authority for Moratorium Ordinance

Section 65858 of the California Government Code authorizes a city, in order to protect the public health, safety, and welfare, and without following the procedures otherwise required, to adopt an interim ordinance as an urgency measure to take effect immediately, prohibiting any uses that may be in conflict with a zoning proposal that the legislative body, planning commission, or the planning department is considering or studying or intends to study within a reasonable time. The initial period that the interim ordinance remains in effect is 45 days. After issuance of a written report detailing the measures taken to alleviate the condition which led to the adoption of the interim ordinance, and a public hearing, the interim ordinance may be extended for additional periods of 10 months and 15 days, and subsequently for one year. A four-fifths vote of the City Council is required to pass the ordinance in each case.

### CONCLUSION

It is recommended that the City Council approve an interim ordinance on an urgency basis prohibiting the issuance of new massage technician permits, and prohibiting new massage establishments from locating within the City for a period of 45 days.

  
George H. Eiser, III  
Interim City Attorney

Attachment

ORDINANCE NO. 2017 –

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858  
AS AN URGENCY MEASURE TO TAKE EFFECT IMMEDIATELY,  
ENACTING A MORATORIUM PROHIBITING THE ISSUANCE OF  
MESSAGE TECHNICIAN PERMITS OR LICENSES AND PROHIBITING  
NEW MESSAGE ESTABLISHMENTS FROM LOCATING WITHIN  
THE CITY OF NATIONAL CITY FOR A PERIOD OF 45 DAYS

WHEREAS, the permitting, regulation, and zoning provisions pertaining to message establishments within the City of National City are governed by Municipal Code Chapters 10.70 (Police Regulated Business Regulations), 10.79 (Message Establishments), and 18.30 (Adult Oriented Businesses); and

WHEREAS, the City is authorized to regulate message establishments pursuant to Article XI, Section 7 of the California Constitution, as well as by state law, including Section 4600, et seq., of the California Business and Professions Code, and Section 51030, et seq., of the California Government Code; and

WHEREAS, Section 4600, et seq., of the California Business and Professions Code, commonly known as the Massage Therapy Act (the “Act”), creates the California Massage Therapy Council, contains extensive provisions pertaining to the licensing and regulation of individuals engaged in the practice of massage, and while it states that a city may enact an ordinance which provides for the licensing of the business of massage, it further states that no city shall enact or enforce any ordinance that conflicts with the Act or with Section 51034 of the California Government Code, thus creating a partially preemptive effect of state law upon municipal regulation of message establishments; and

WHEREAS, the Massage Therapy Act was enacted as urgency legislation by the State Legislature in January, 2009, and certain provisions of the Act were amended in 2014 and 2016, certain of which amendments were inconsistent with the original version of the Act, and the latest of which amendments was effective January 1, 2017, all of which created some uncertainty concerning the manner and degree to which cities may regulate massage technicians and message establishments; and

WHEREAS, Section 51034 of the Government Code was amended by the State Legislature in 2016, effective January 1, 2017, creating inconsistencies between the prohibitory provisions of that section and certain current provisions of the Municipal Code, including the following:

- Section 51034(c)(2) prohibits a city from defining a Message Establishment as an “adult business”, and regulating a message establishment as an adult entertainment; Section 18.30.030(B)(14) of the Municipal Code includes “massage parlor” within the definition of “adult-oriented business”, and imposes special regulations on adult-oriented businesses.
- Section 51034(c)(4) prohibits a city from requiring a message establishment to have a shower or bath; Section 10.79.070(G) of the Municipal Code requires message establishments to have a minimum of one tub or shower.



- Section 51034(c)(8) prohibits a city from imposing a requirement that a person certified under the Massage Therapy Act undergo a criminal background check or submit fingerprints to obtain a massage permit or license; Section 10.70.030(A) of the Municipal Code provides that the Chief of Police may require a person applying for a permit to practice massage or operate a massage establishment to be fingerprinted; Section 10.70.030(B) provides that an applicant shall submit information regarding arrests; and Section 10.79.060 sets forth additional requirements such as a certificate from a medical doctor and that a massage technician shall furnish fingerprints.
- Section 51034(c)(10) prohibits a city from imposing a dress code requirement on a person certified pursuant to the Massage Therapy Act in excess of those already imposed by the Act; Section 10.79.080(K) of the Municipal Code requires massage technicians to be fully covered from a point not to exceed four inches above the center of the kneecap to the base of the neck, which is a stricter requirement than what is set forth in the Act;

and

WHEREAS, the Police Department reports a recent increase in prostitution activity at several business locations throughout the City operating under the guise of massage establishments, with at least six (6) of such establishments engaged in such activity and operating without the required City permits or licenses, and in violation of numerous other local and state laws; and

WHEREAS, the City Council finds it necessary and appropriate to review and consider the provisions of the legislation pertaining to massage establishments and technicians enacted over recent years by the State Legislature; and

WHEREAS, the City Council finds that a valid ordinance regulating massage establishments and massage technicians is necessary to protect the public health, safety, and welfare, in that such an ordinance will ensure that to the greatest extent possible, massage businesses will be conducted in a clean and sanitary manner, and in such a way that the operation of such businesses does not involve prostitution and lewd conduct; and

WHEREAS, the City Council finds that there is a current and immediate threat to the public health, safety, and welfare of the city and its residents resulting from the absence of a local ordinance that follows state mandates and prohibitions relating to massage establishments and technicians, and that the location of such establishments, and the issuance of permits and other entitlements for such establishments, would result in a threat to the public health, safety, and welfare if the City's massage regulatory ordinances were to be found invalid; and

WHEREAS, the City Council finds it essential to protect the health, safety, and welfare of the citizens of the City of National City to enact a moratorium for a period of 45 days on the issuance of massage technician permits and the locating of, development, or approval of permits for massage establishments; and

WHEREAS, after appropriate study and legislative review, the City Council intends to adopt an ordinance that would apply throughout the city for the proper regulation of massage establishments and technicians as soon as practicable, and directs the City Attorney's Office to commence the review necessary for the adoption of such proper regulations.



NOW, THEREFORE, the City Council of the City of National City does hereby ordain as follows:

Section 1. For a period of 45 days from the effective date of this Ordinance, no massage technician permit shall be issued; no massage establishment not currently existing lawfully within the city shall be located within the city; no building permit, certificate of occupancy, establishment permit, police-regulated business permit, business license, conditional use permit, nor any other permit or entitlement for a massage establishment or massage technician shall be issued; no construction shall take place relating to a massage establishment; and no construction shall take place within the city relating to the location, development, or approval of any massage establishment.

Section 2. This Ordinance is adopted as an urgency ordinance necessary for the immediate preservation of the public health, safety, and welfare within the meaning of Section 65858 of the Government Code, and shall take effect immediately.

Section 3. If any portion of this Ordinance is found to be invalid, it is the intention of the City Council that the remaining valid provisions of the Ordinance be severed from the invalid provisions and remain in full force and effect.

PASSED and ADOPTED this 7th day of February, 2017.

\_\_\_\_\_  
Ron Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
George H. Eiser, III  
Interim City Attorney

The following page(s) contain the backup material for Agenda Item: Temporary Use Permit — St. Anthony of Padua Church presentation of the “Live Stations of the Cross” starting at 410 W. 18th Street on April 14, 2017 from 3 p.m. to 4 p.m. with no waiver of fees. (Neighborhood Services)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** March 7, 2017

**AGENDA ITEM NO.**

**ITEM TITLE:**

Temporary Use Permit — St. Anthony of Padua Church presentation of the "Live Stations of the Cross" starting at 410 W. 18<sup>th</sup> Street on April 14, 2017 from 3 p.m. to 4 p.m. with no waiver of fees.

**PREPARED BY:** Dionisia Trejo

**DEPARTMENT:** Neighborhood Services Department

**PHONE:** (619) 336-4255

**APPROVED BY:** 

**EXPLANATION:**

This is a request from St. Anthony of Padua's Church to conduct it's representation of the passion and death of Jesus Christ on April 14, 2017 from 3p.m. to 4p.m. Event begins on church grounds; followers will start the church walk on Harding Avenue going northbound until reaching W.16<sup>th</sup> Street. The church walk will then continue westbound on W.16<sup>th</sup> Street where they will turn south going onto Wilson Avenue. The walk will then continue southbound on Wilson Avenue to end inside St. Anthony's parking lot on the corner of Wilson Avenue & W.19<sup>th</sup> Street. During the walk, amplified sound will be used for certain prayers to reflect the presentation and the incidents from station to station.

Note: This event was approved last year by City Council with no waiver of fees.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

City fee of \$237.00 for processing the TUP through various City departments, plus \$150.82 for Police Department.

Total Fees: \$387.82

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐

FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Application for a Temporary Use Permit with recommended approvals and conditions of approval.





City of National City ■ Neighborhood Services Department  
1243 National City Boulevard ■ National City, CA 91950  
(619) 336-4364 ■ fax (619) 336-4217  
www.nationalcityca.gov

## Special Event Application

### Type of Event

- ☐ Fair/Festival    ☐ Parade/March    ☒ Walk or Run    ☐ Concert/Performance  
☐ TUP    ☐ Sporting Event    ☐ Other (specify) \_\_\_\_\_

RECEIVED

FEB 02 2017

Neighborhood Services Department  
City of National City

### Event Name & Location

Event Title Live Stations of the Cross

Event Location (list all sites being requested) 410 W. 18th Street National City, CA 91950

### Event Times

Set-Up Starts    3:00PM  
Date 4/14/2017    Time \_\_\_\_\_    Day of Week \_\_\_\_\_

Event Starts  
Date 4/14/2017    Time 3:00PM    Day of Week Friday

Event Ends  
Date 4/14/17    Time 4:00PM    Day of Week Friday

Breakdown Ends  
Date 4/14/2017    Time 4:00PM    Day of Week \_\_\_\_\_

### Applicant Information

Applicant (Your name) St. Anthony of Padua Church    Sponsoring Organization St. Anthony of Padua Church

Event Coordinator (if different from applicant) Rev. Jose Edmundo Zarate- Suarez

Mailing Address 410 W. 18th Street National City, CA 91950

Day Phone 619-477-4520    After Hours Phone \_\_\_\_\_    Cell \_\_\_\_\_    Fax 619-477-8708

Public Information Phone 619-477-4520    E-mail stanthonyofpadua@sbcglobal.net

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: [Signature]    Date Jan 31, 2017



## Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us.

### Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes ☒ No ☐

Are admission, entry, vendor or participant fees required? Yes ☐ No ☒

If YES, please explain the purpose and provide amount (s):

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\$ n/a Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ n/a Estimated Expenses for this event.

\$ n/a What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

### Description of Event

☐ First time event ☒ Returning Event ☒ include site map with application

Note that this description may be published in our City Public Special Events Calendar:

In Good Friday we have our Live stations of the Cross.

It is a representation of the Passion and death of Jesus Christ.

Parish community will do a procession where everyone is welcomed to

participate in prayer and meditation.

### Estimated Attendance

Anticipated # of Participants: 50 Anticipated # of Spectators: 250

**Traffic Control, Security, First Aid and Accessibility**

Requesting to close street(s) to vehicular traffic? Yes ☐ No ☒

List any streets requiring closure as a result of the event (provide map): \_\_\_\_\_

Date and time of street closure: \_\_\_\_\_ Date and time of street reopening: \_\_\_\_\_

☐ Other (explain) \_\_\_\_\_

Requesting to post "no parking" notices? Yes ☐ No ☒

☐ Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map): \_\_\_\_\_

☐ Other (explain) \_\_\_\_\_

**Security and Crowd Control**

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: \_\_\_\_\_

Volunteers of the parish and community will help guide the attendees in the procession.

Have you hired Professional Security to handle security arrangements for this event?

Yes ☐ No ☒ If YES, name and address of Security Organization \_\_\_\_\_

Security Director (Name): \_\_\_\_\_ Phone: \_\_\_\_\_

If using the services of a professional security firm AND the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the City's Risk Manager for review and approval prior to the event.

Is this a night event? Yes ☐ No ☒ If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: \_\_\_\_\_

### First Aid:

Depending on the number of participants, your event may require specific First Aid services.

First aid station to be staffed by event staff? Yes ☐ No ☒ First aid/CPR certified? Yes ☐ No ☐

☐ First aid station to be staffed by professional company. ► Company \_\_\_\_\_

### Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

n/a

### Elements of your Event

Setting up a stage? Yes ☐ No ☒

☐ Requesting City's PA system

☐ Requesting City Stage; if yes, which size? ☐ Dimensions (13x28) ☐ Dimensions (20x28)

☐ Applicant providing own stage ► \_\_\_\_\_ (Dimensions)

Setting up canopies or tents?

\_\_\_\_\_ # of canopies size \_\_\_\_\_

\_\_\_\_\_ # of tents size \_\_\_\_\_

☒ No canopies/tents being set up

Setting up tables and chairs?

☐ Furnished by Applicant or Contractor

\_\_\_\_\_ # of tables ☒ No tables being set up

\_\_\_\_\_ # of chairs ☒ No chairs being set up

☐ (For City Use Only) Sponsored Events – Does not apply to co-sponsored events

\_\_\_\_\_ # of tables ☐ No tables being set up

\_\_\_\_\_ # of chairs ☐ No chairs being set up

Contractor Name \_\_\_\_\_

Contractor Contact Information \_\_\_\_\_  
Address City/State Phone Number

**Setting up other equipment?**

☐ Sporting Equipment (explain) \_\_\_\_\_

☐ Other (explain) \_\_\_\_\_

☒ Not setting up any equipment listed above at event

**Having amplified sound and/or music? Yes ☒ No ☐**

☒ PA System for announcements ☐ CD player or DJ music

☐ Live Music ▶ ☐ Small 4-5 piece live band ▶ ☐ Large 6+ piece live band

☐ Other (explain) \_\_\_\_\_

**If using live music or a DJ. ▶ Contractor Name** \_\_\_\_\_

▶ \_\_\_\_\_  
Address City/State Phone Number

**Using lighting equipment at your event? Yes ☐ No ☒**

☐ Bringing in own lighting equipment

☐ Using professional lighting company ▶ **Company Name** \_\_\_\_\_

\_\_\_\_\_  
Address City/State Phone Number

**Using electrical power? Yes ☐ No ☐**

☐ Using on-site electricity ☐ For sound and/or lighting ☐ For food and/or refrigeration

☒ Bringing in generator(s) ☒ For sound and/or lighting ☐ For food and/or refrigeration

**Vendor Information**

**PLEASE NOTE: You may be required to apply for a temporary health permit if food or beverages are sold or given away during your special event. Also see 'Permits and Compliance' on page 8 in the Special Event Guide. For additional information on obtaining a temporary health permit, please contact the County of San Diego Environmental Health at (619) 338-2363.**

**Having food and non-alcoholic beverages at your event? Yes ☐ No ☒**

☐ Vendors preparing food on-site ▶ # \_\_\_\_\_ ▶ Business License # \_\_\_\_\_

If yes, please describe how food will be served and/or prepared: \_\_\_\_\_

\_\_\_\_\_  
If you intend to cook food in the event area please specify the method:

☐ GAS ☐ ELECTRIC ☐ CHARCOAL ☐ OTHER (Specify): \_\_\_\_\_

☐ Vendors bringing pre-packaged food ▶ # \_\_\_\_\_ ▶ Business License # \_\_\_\_\_

☐ Vendors bringing bottled, non-alcoholic beverages (i.e., bottled water, can soda, etc.) ▶ # \_\_\_\_\_

☐ Vendors selling food # \_\_\_\_\_ ▶ Business License #(s) \_\_\_\_\_

☐ Vendors selling merchandise # \_\_\_\_\_ ▶ Business License #(s) \_\_\_\_\_



- ☐ Food/beverages to be handled by organization; no outside vendors
- ☐ Vendors selling services # \_\_\_\_\_ ▶ Business License #(s) \_\_\_\_\_
- ▶ Explain services \_\_\_\_\_
- ☐ Vendors passing out information only (no business license needed) # \_\_\_\_\_
- ▶ Explain type(s) of information \_\_\_\_\_
- ☐ No selling or informational vendors at event

Having children activities? Yes ☐ No ☒

**PLEASE NOTE:** In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. There is a \$25 fee to process the permit application. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

- ☐ Inflatable bouncer house # \_\_\_\_\_ ☐ Rock climbing wall Height \_\_\_\_\_
- ☐ Inflatable bouncer slide # \_\_\_\_\_ ☐ Arts & crafts (i.e., craft making, face painting, etc.)
- ☐ Other \_\_\_\_\_

Having fireworks or aerial display? Yes ☐ No ☒

- ☐ Vendor name and license # \_\_\_\_\_
- Dimensions \_\_\_\_\_ Duration \_\_\_\_\_
- Number of shells \_\_\_\_\_ Max. size \_\_\_\_\_

**PLEASE NOTE:** In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/ \$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$502.00

Arranging for media coverage? Yes ☐ No ☒

- ☐ Yes, but media will not require special set-up
- ☐ Yes, media will require special set-up. Describe \_\_\_\_\_

### Event Signage

**PLEASE NOTE:** For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City's specifications. Please refer to the City's Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? Yes ☐ No ☒

- ☐ Yes, we will post signage # \_\_\_\_\_ Dimensions \_\_\_\_\_
- ☐ Yes, having inflatable signage # \_\_\_\_\_ ► (complete Inflatable Signage Request form)
- ☐ Yes, we will have banners # \_\_\_\_\_
- ☐ What will signs/banners say? \_\_\_\_\_
- ☐ How will signs/banners be anchored or mounted? \_\_\_\_\_

### Waste Management

**PLEASE NOTE:** One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? Yes ☐ No ☒

If yes, please identify the following:

- Total number of portable toilets: \_\_\_\_\_
- Total number of ADA accessible portable toilets: \_\_\_\_\_
- ☐ Contracting with portable toilet vendor. ► \_\_\_\_\_
- |                            |                             |       |
|----------------------------|-----------------------------|-------|
|                            | Company                     | Phone |
| ► Load-in Day & Time _____ | ► Load-out Day & Time _____ |       |
- ☐ Portable toilets to be serviced. ► Time \_\_\_\_\_

### Set-up, Breakdown, Clean-up

**Setting up the day before the event?**

- ☐ Yes, will set up the day before the event. ► # of set-up day(s) \_\_\_\_\_
- ☒ No, set-up will occur on the event day

**Requesting vehicle access onto the turf?**

- ☐ Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)
- ☒ No, vehicles will load/unload from nearby street or parking lot.

#### NPDES-Litter Fence

- ☐ City to install litter fence
- ☐ Applicant to install litter fence
- ☒ N/A

#### Breaking down set-up the day after the event?

- ☐ Yes, breakdown will be the day after the event. ► # of breakdown day(s) \_\_\_\_\_
- ☒ No, breakdown will occur on the event day.

#### How are you handling clean-up?

- ☐ Using City crews
- ☒ Using volunteer clean-up crew during and after event.
- ☐ Using professional cleaning company during and after event.

#### Miscellaneous

Please list anything important about your event not already asked on this application:

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**Please make a copy of this application for your records.  
We do not provide copies.**



# Special Events

## Pre-Event Storm Water Compliance Checklist

### I. Special Event Information

Name of Special Event: <u>Live Stations of the Cross</u>	
Event Address: <u>410 W. 18th Street National City</u>	Expected # of Attendees: <u>300</u>
Event Host/Coordinator: <u>Rev. Jose Edmundo Zarate-Suarez</u>	Phone Number: <u>619-477-4520</u>

### II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: _____	—	—	X
Will enough recycling bins provided for the event? Provide number of recycle bins: _____	—	—	X
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)	—	—	X
Do all storm drains have screens to temporarily protect trash and debris from entering?	—	—	X
Are spill cleanup kits readily available at designated spots?	—	—	X

\* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.



# City of National City

## PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

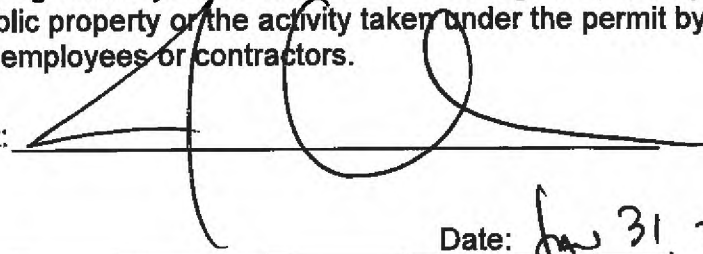
Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City  
Risk Management Department  
1243 National City Boulevard  
National City, CA 91950

Organization: St. Anthony of Padua Church  
Person in Charge of Activity: Rev. Jose Edmundo Zarate-Suarez  
Address: 410 W. 18th Street National City, CA 91950  
Telephone: 619-477-4520 Date(s) of Use: 04/14/17

### HOLD HARMLESS AGREEMENT

As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorneys fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

Signature of Applicant: 

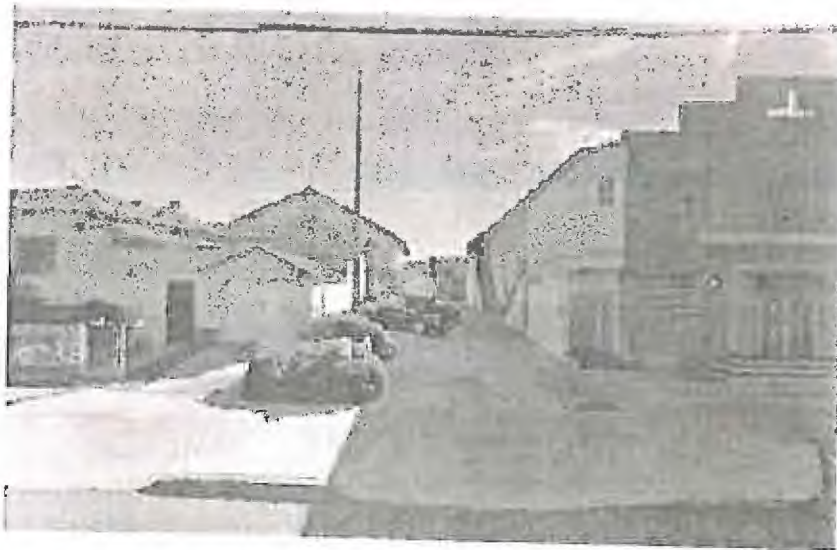
Official Title: Pastor

Date: Jan 31, 2017

*For Office Use Only*

Certificate of Insurance Approved \_\_\_\_\_ Date \_\_\_\_\_

Map data ©2016 Google 100 ft



**410 W 18th St  
National City, CA 91950**





### **CITY ATTORNEY**

No required conditions for this application

### **COMMUNITY SERVICES**

No comments

### **RISK MANAGER (619) 336-4370**

I have reviewed the above captioned request to for the issuance of a Temporary Use Permit. I would recommend that as a condition of the issuance of the permit that the following documents be provided:

- A valid copy of the Certificate of Liability Insurance.
- The applicant must provide a separate additional insured endorsement wherein it notes as the additional insured as "The City of National City, its officials, agents, employees and volunteers".
- That the insurance policy must have a combined single limit of no less than \$1,000,000.00 (ONE MILLION DOLLARS) and \$2,000,000.00 (TWO MILLION DOLLARS) in aggregate that would cover the date and location of the event
- That the insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not then insurance policy must be submitted to the Risk Management Department for review and approval prior to the issuance of the Temporary Use Permit.
- The Certificate Holder must reflect:  
City of National City  
c/o Risk Manager  
1243 National City Boulevard  
National City, CA. 91950-4397

### **PUBLIC WORKS**

No comments

### **FINANCE**

No comments



## **FIRE**

### **NO INSPECTION REQUIRED NO CHARGE FOR THIS EVENT**

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Stipulations required by the Fire Department for this event are as follows:

- 1) Maintain Fire Department access at all times.
- 2) Means of egress shall not be obstructed in any manner and shall remain free of any material or matter where its presence would obstruct or render the means of egress hazardous.
- 3) Access for Fire Department shall be maintained at all times. At no time shall fire lanes, fire hydrants, fire protection systems of all types etc. be obstructed at any time. A minimum of 20 feet wide shall be maintained for the use of fire lanes.

If you have any questions please feel free to contact me.

The following page(s) contain the backup material for Agenda Item: City Council  
Legislative Recess. (City Manager)

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** March 7, 2017

**AGENDA ITEM NO.** \_\_\_\_\_

**ITEM TITLE:**

City Council Legislative Recess.

**PREPARED BY:** Leslie Deese, City Manager

**PHONE:** 619-336-4240

**DEPARTMENT:** City Manager

**APPROVED BY:** 

**EXPLANATION:**

Please see attached Staff Report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**  
N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Request City Council direction on (a) moving or dispensing with the July 4, 2017 City Council Meeting; and (b) observing a City Council legislative recess during the month of July, 2017.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Staff Report

## City Council Legislative Recess

Since 2014, the City Council has observed a legislative recess in the summer to provide city staff and elected officials an opportunity to catch up on work, reenergize after a lengthy budget and strategic planning process, and prepare for the start of a new fiscal year. The purpose of this agenda item is to determine whether the City Council wants to once again consider a summer recess in 2017.

Observing a legislative recess from a city's council meeting schedule is practiced by a majority of San Diego County cities that recess both in the summer and winter. Some cities, and quasi-governmental entities such as SANDAG, recess over an entire month, generally in the summer. While National City does not have a formal recess scheduled for summer or winter, due to the holiday/furlough closure, we have traditionally adjusted the meeting schedule in December and January to either dispense with or move one or more of the regular Tuesday meetings. For the past three years, the City Council voted to recess the month of July, and in 2013, the Council voted to recess and dispense with the second meeting in July.

Provided for reference is a listing of upcoming meetings, community events and observed holidays for the summer months. Please note that the calendar reflects only those events that we have dates for; additionally, some of the events listed are pending Council approval. It should be noted that this year, Independence Day falls on the first Tuesday in July, which is also the date of the regularly scheduled City Council meeting. As such, at a minimum, a decision to move or dispense with the first meeting in July is required.

National City Municipal Code Section 2.04.202 states, in part, that "Any regular meeting may be dispensed with by vote of the City Council." If the Council desires to dispense with one of more regular meetings, you may do so by minute action which would provide all interested parties with advanced notice for planning purposes. Council may also direct staff to bring a policy formalizing a winter and/or summer recess.

June	
Event	Date
City Council Meeting & Adoption of Annual Budget	Tuesday, June 6, 2017
Movies in the Park @ Las Palmas Park	Friday, June 9, 2017
7 <sup>th</sup> Annual Mabuhay Festival	Saturday, June 10, 2017
City Council Meeting	Tuesday, June 20, 2017
Olympic Rowing Day w/ Community Rowing of San Diego @ Aquatic Center	Saturday, June 24, 2017
Lions Club Independence Day Carnival	June 29 – July 4, 2017
NCPD Reserve Officers Banquet	TBD
"National City Day" at San Diego County Fair	TBD



July	
Event	Date
Miss National City Educational Pageant @ Kimball Park during 4 <sup>th</sup> of July Carnival	Saturday, July 1, 2017
City Council Meeting (City Hall Closed)*	Tuesday, July 4, 2017
Movies In The Park @ Las Palmas Pool	Saturday, July 8, 2017
Morning Yoga @ Aquatic Center (pending Tidelands Activation Grant award)	Saturday, July 8, 2017 or Sunday, July 9, 2017
City Council Meeting	Tuesday, July 18, 2017
Scottish Rite Awards for Law Enforcement	Wednesday, July 26, 2017
Morning Yoga @ Pepper Park (pending Tidelands Activation Grant award)	Saturday, July 29, 2017
Library's 2 <sup>nd</sup> Annual Face Behind the Art Festival	Festival held from July through August, 2017
Library's Summer Reading Program Grand Finale Program	Last week of July or first week of August, 2017
August	
Event	Date
National Night Out & Movies in the Park @ Kimball Park	Tuesday, August 1, 2017
City Council Meeting	Tuesday, August 1, 2017
Relay For Life	August 4 – August 5, 2017
Movie in the Park @ Kimball Park	Friday, August 11, 2017
Auto Heritage Day	Saturday, August 12, 2017
Morning Yoga @ Aquatic Center (pending Tidelands Activation Grant award)	Saturday, August 12, 2017 or Sunday, August 13, 2017
City Council Meeting	Tuesday, August 15, 2017
Morning Yoga @ Pepper Park (pending Tidelands Activation Grant award)	Saturday, August 26, 2017
National City Volunteer Recognition Event	TBD
September	
Event	Date
Movies in the Park @ Kimball Park	Sunday, September 3, 2017
Labor Day (City Hall Closed)	Monday, September 4, 2017
City Council Meeting	Tuesday, September 5, 2017
9/11 FFA Breakfast & Remembrance Ceremony	Monday, September 11, 2017
9 <sup>th</sup> Annual Rock-the-Bay Triathlon	September 17, 2017

City Council Meeting	September 19, 2017
NCPD School Supply Give-away	TBD
NCPD Use of Force Workshop	TBD
Pumpkin Station @ Plaza Bonita	September 29 – October 31, 2017

**\* Meeting Dates can be changed**

Staff Recommendation: Request City Council direction on (a) moving or dispensing with the July 4, 2017 City Council Meeting; and (b) observing a City Council legislative recess during the month of July, 2017.